

JOURNAL
OF
THE SENATE
OF THE
STATE OF ALABAMA
SESSION OF 1919

HELD IN THE CITY OF MONTGOMERY
COMMENCING

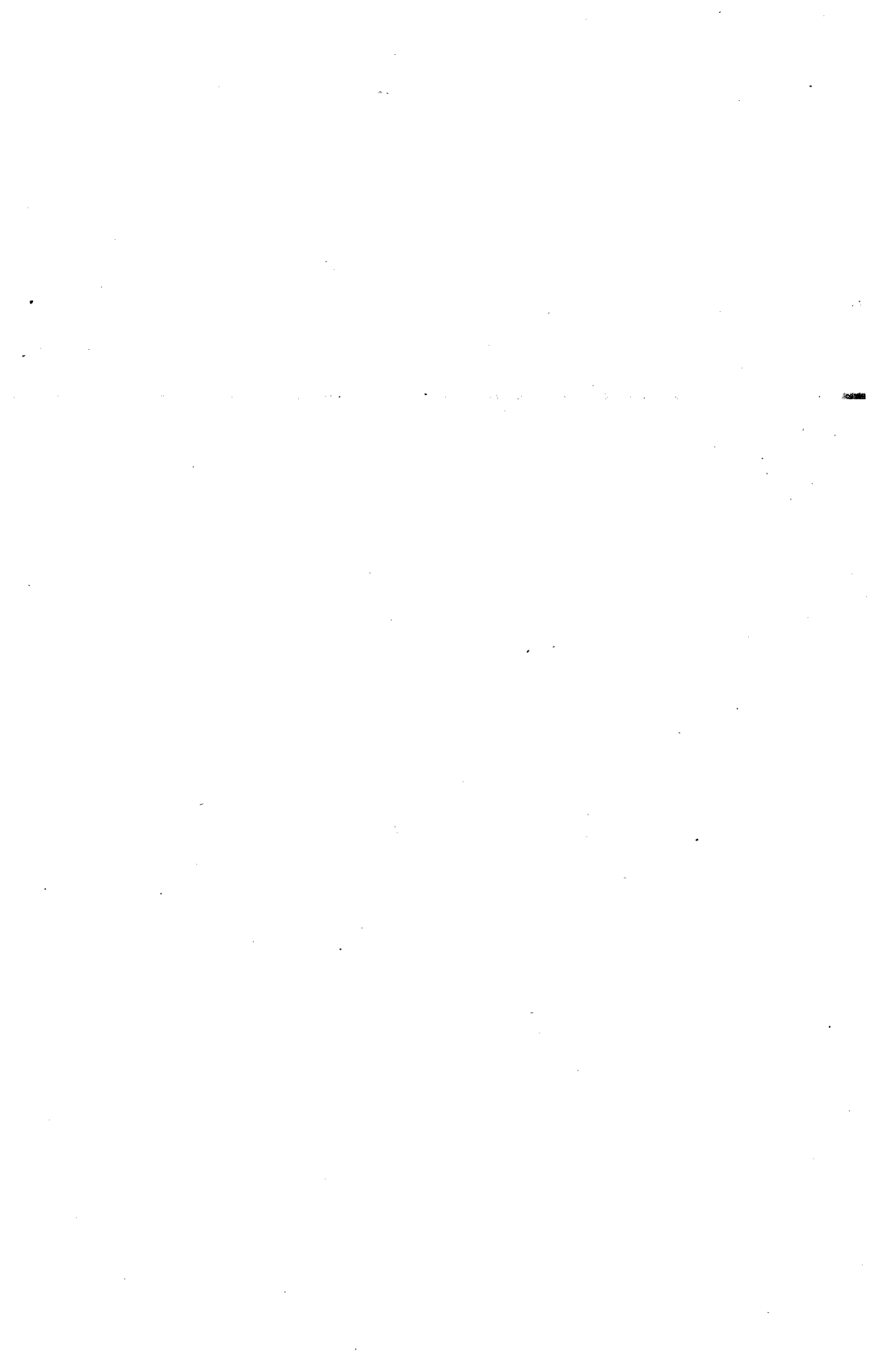
TUESDAY, JANUARY 14, 1919



VOL. II.

WITH AN INDEX PREPARED BY THE
SECRETARY OF THE SENATE

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JOURNAL
OF
THE SENATE
OF THE
STATE OF ALABAMA

THIRTY-SIXTH DAY.

Friday, August 15th, 1919

The Senate met pursuant to adjournment, Lieutenant Governor Miller presiding.

PRAYER.

Rev. Dr. E. E. Emmerson, of Ragland.

ROLL CALL.

Present:

Mr. President and

Messrs:

Baker	Craft	Kelly	Prestwood
Beale	Ellis	Leith	Rogers (Sumter)
Briscoe	Espy	Miller	Sims
Brown	Evins	Moore	Smith (Coosa)
Butler	Griffith	Morris	Smith (Lawrence)
Carlton	Gunter	McDowell	Tally
Carmichael	Harper	Nance	West
Cowan	Huddleston	Phillips	

JOURNAL.

On motion of Mr. Brown, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

INTRODUCTION OF BILLS.

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Griffith:

S. 515. To amend section 3860 of the Civil Code of Alabama so as to authorize and provide the procedure for suits by the State of Alabama for the condemnation of lands for public uses. Judiciary.

By Mr. Briscoe:

S. 516. To repeal an act entitled "An act to provide a better system of public roads for Chambers county."

(With notice and proof attached and herewith exhibited as follows:)

Local Legislation.

NOTICE OF PROPOSED BILL TO BE INTRODUCED IN THE LEGISLATURE.

A bill to be entitled "An act to repeal an act entitled 'An act to provide a better system of public roads for Chambers county.'"

Section 1. Be it enacted by the Legislature of Alabama, that an act entitled "An act to provide a better system of public roads for Chambers county, Alabama," approved August 28, 1915, be, and the same is, hereby repealed."

State of Alabama, }
Chambers County. }

Before me, Chas. E. Fuller, judge of probate in and for said county and State, personally appeared Sam H. Oliver, who being by me first duly sworn deposes and says that he is the owner and publisher of the LaFayette Sun, a weekly newspaper, published at LaFayette in said county and State; that the above notice of proposed bill to be introduced in the Legislature, has been published in the said LaFayette Sun for four successive weeks; that the above is the exact notice as same appeared in each issue of said paper.

Sam H. Oliver.

Subscribed and sworn to before me this Aug. 14, 1919.

Chas. E. Fuller,
Judge of Probate.

By Mr. Leith:

S. 517. To fix the compensation of judges of county courts, serving in counties having a population of not less than 37,000 nor more than 37,500, according to the last preceding Federal census.

Finance and Taxation.

By Mr. Phillips:

S. 518. To provide for the compensation of the tax assessors and the tax collectors of the State of Alabama and prescribe the commissions to be received by them respectively.

Finance and Taxation.

By Mr. Smith (by request):

S. 519. To amend section 4007 of the Code of Alabama, 1907.

Judiciary.

By Mr. Huddleston:

S. 520. To prohibit landlords or their agents from refusing to rent to tenants with children or for advertising children as a bar against renting homes and fixing penalties for same.

Revision of Laws.

By Mr. Rogers of Sumter:

S. 521. To create the department of examiners of accounts, to prescribe its powers, duties and functions, provide for the appointment of a chief examiner and assistant examiners, to regulate the duties and compensation of such officials, and to provide clerical help for said department.

Finance and Taxation.

By Mr. McDowell:

S. 522. To amend an act entitled an act "To ratify, confirm, and validate the census of the cities and towns in the State of Alabama, of seven (7,000) thousand inhabitants and less, where the same has been taken as provided by the Code of Alabama of 1907 and the report of the same filed in the office of the Secretary of State," approved April 4th, 1911.

Municipalities and Municipal Organizations.

By Mr. Craft:

S. 523. To authorize divorce for abandonment whenever a party who has deserted his or her consort for more than ten months, fails to return to the performance of his or her marital obligations within sixty days after notice.

Judiciary.

By Mr. West:

S. 524. To amend section 7560 of the Code of 1907.

Public Health.

Also:

S. 525. To regulate and define the powers and jurisdiction of constables in all counties in the State of Alabama having a population of 200,000 or more, according to the last or any future Federal census.

Revision of Laws.

Also:

S. 526. To provide for the appointment of deputy circuit solicitors in all circuits in this State having more than five circuit judges to fix their compensation and to provide the way and manner of paying the same.

Judiciary.

REPORTS OF COMMITTEES.

Mr. Miller, chairman of the Standing Committee on Revision of Laws, reported that said committee, in session, had acted on

the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Briscoe:

S. 409. To authorize the admissability of parole evidence in the trial of causes involving violations of the stock law.

By Mr. Craft:

S. 402. To prescribe the qualifications, duties and compensations of coroners and their assistants; making it unlawful for anyone to remove or disturb the body of a person whose death is due to violence before an inquest by the coroner if he deems it necessary to make it the duty of the sheriff to execute any, and all, process directed to him by the coroner in the discharge of his official duties; to authorize coroners to punish contempts, to authorize and empower coroners to perform autopsies upon the bodies of persons who have died by violence when necessary to ascertain the causes of death, to prescribe the pay of witnesses and jurors in proceedings by coroners; to authorize any person to pick up and to secure the bodies of any deceased person found in any of the waters or streams in any of the counties embraced in this act; and to further provide for their compensation for so doing. This act shall embrace and shall apply only to counties in this State containing not less than eighty thousand nor more than eighty-one thousand inhabitants; according to the last Federal census, and shall repeal all laws and parts of laws in conflict with this act.

By Mr. Briscoe (with amendment):

S. 442. To create the office of State fire marshal, and to provide for the appointment of deputy marshal and assistant, to define their powers and duties and to fix their compensation; provide ways and means for the enforcement of this act and penalties for violation thereof; and to provide means for defraying the expenses incurred under the provisions hereof.

By Mr. Crump:

H. 486. To prescribe and regulate the payment of certain claims registered against the fine and forfeiture funds of St. Clair county, when there are such funds in the hands of the county treasurer or any bank or individual who are discharging the duties of county treasurer and to give notice to such persons there are funds in the hands of such treasurer for the payment of claims by publications in county newspaper for two weeks.

By Mr. Smith of Lawrence:

S. 328. To regulate the trials of misdemeanors in Lawrence county.

By Mr. Smith of Greene:

H. 390. To abolish the county court of Greene county and the offices thereto attached and to provide for the transfer of all trials of prosecutions instituted therein and not disposed of, together with all papers, processes, records and documents relating thereto, to the clerk of the circuit court of said county, and to provide for the clerk of said circuit court receiving the same to enter all such cases on the proper docket of said circuit court for trial as though originally filed therein.

By Mr. Gunter:

S. 486. To amend an act of the Legislature of Alabama entitled, "An act to amend section 3795 of the Code of Alabama of 1907.

Mr. Carmichael, chairman of the Standing Committee on Education, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. West:

S. 350. To create the Alabama art commission, and to prescribe its powers and duties.

By Mr. Jones of Montgomery:

H. 412. To authorize and require the city school board or city board of education, or by whatever named called, in all cities or towns of this State having a population of not less than 38,000 nor more than 40,000 according to the last or any succeeding Federal census, to provide a pension, or retiring allowance for teachers who have served in the public schools of such city or town.

Mr. Espy, chairman of the Standing Committee on Agriculture, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Ellis:

S. 44. To grant the privilege to the United States for acquiring lands in Alabama and ceding to the United States the jurisdiction over such lands so long as the ownership may be retained by the United States.

By Mr. Craft (with amendment):

S. 364. To amend section 4242 (2112) of the Code of Alabama, 1907.

By Mr. Ellis (by request):

S. 406. To amend chapter 193 of the Code of Alabama, 1907.

By Mr. Mitchell:

H. 580. To prohibit stock from running at large in subdivisions of a voting precinct, or beat, or in subdivisions of a county less than a voting precinct or beat, in all counties having a population of as much as twenty thousand two hundred and ten and not more than twenty thousand two hundred and fifty, according to the Federal census of 1910; to provide for the removal of gates across public roads used to enclose such free or common range; and to fix penalties for the violation of the provisions of this act.

Mr. Smith of Coosa, chairman of the Standing Committee on Military, reported that said committee, in session, had acted on the following bill and resolution and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Prestwood:

S. J. R. 112. Relative to opposing the passage of the Chamberlain-Kahn compulsory military service bill.

By Mr. O. T. Smith (with amendments):

S. 382. To regulate and provide for the military forces of the State of Alabama, and to promote its efficiency; to prescribe rules, regulations and means for its organization, armament, equipment, discipline, control and supervisions; to provide for its maintenance, support and upkeep; to provide means for the enforcement of this act; and to fix penalties and punishments for the violation of this act.

Mr. Kelly, chairman of the Standing Committee on Public Roads and Highways, reported that said committee, in session, had acted on the following bills and resolutions and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Dodson:

H. 485. To amend an act entitled an act to designate certain public roads of the State of Alabama as State trunk roads, and to provide the manner in which such roads shall be located, improved and maintained.

By Mr. Tally (with substitute):

S. 464. To require the highway commission or highway department, to locate, construct and maintain the State highways in Alabama so as to connect the several county seats and in the border counties to connect county seats of the several border counties at or about the State line with an improved road in the border states, and to require an equitable division of time, money and labor in the prosecution of such work.

By Mr. Rogers of Sumter :

S. J. R. 111. Relative to amending the highway bill so that the National Government may build and maintain bridges across the navigable streams of the United States, etc.

By Mr. Griffith :

S. 461. To designate a certain public road of Alabama as a State trunk road, and to provide the means by which such State trunk road shall be improved and maintained.

Mr. Butler, chairman of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit :

By Mr. Murphree (with amendments) :

H. 383. To provide for the general revenue of the State of Alabama.

By Mr. Brown (with substitute) :

S. 12. To provide pensions for all soldiers and sailors who were in the military or naval services of the State of Alabama and for those who served in the army or navy of the Confederate States of America with certain exceptions and who did not desert the same in the War Between the States of the United States of America in the years 1861, 1862, 1863, 1864, 1865, and who are bona fide resident citizens of the State of Alabama and to regulate and provide for the payment of such pensions by the State of Alabama.

Mr. Griffith, chairman of the Standing Committee on Corporations, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit :

By Mr. West :

S. 278. To amend section 3453 of the Code of Alabama of 1907.

MESSAGE FROM THE HOUSE.

Mr. President :

The House has originated and passed the following bills :

H. 445. To further extend the power and authority of boards of revenue of counties having a population of more than one hundred thousand people, according to the last Federal census, or according to any subsequent Federal census, and particularly to authorize and empower such boards to appropriate money or

funds out of the county treasury to aid in maintaining homes or institutions for aged women.

Also:

H. 489. To make it unlawful for any person to take or catch fish in any of the waters of this State, or the tributaries of such waters emptying into Choctawhatchee Bay by the use of any seine, hoop-net, trammel-net, or substitute therefor, except fish-baskets used only for the purpose of taking or catching cat fish, and to provide penalties for the violation of the provisions of this act.

Also:

H. 607. To create and designate an additional trunk road number 5 to extend from Fort Payne, Alabama, to Scottsboro, Alabama, and to confer upon said road all of the rights and privileges now extended to trunk roads in this State.

Also:

H. 638. To declare the public road leading from Brewton, Alabama, to Monroeville, Alabama, a part of the State highway system.

Also:

H. 649. To provide for service by the sheriff and his deputies of criminal processes in State cases in all counties of the State of Alabama which have a population of one hundred and fifty thousand and more, according to the last or any subsequent Federal census, and wherein the sheriff of such counties is upon a salary basis, and to prohibit the service of such process other than herein designated, except processes other than warrants of arrest issued by justices of the peace.

Also:

H. 650. To provide for the appointment of bailiffs in circuits composed of only one county and having four or more judges, and having a sheriff serving on a salary basis, and to fix the compensation of such bailiffs and provide for its payment.

Also:

H. 659. To establish an additional State trunk road, or State aid road, running from Hamilton, thence to the Illinois Central Railroad crossing at Wiginton, by way of Jackson military road, as the same now runs.

Also:

H. 701. To amend section 1 of an act to designate certain public roads of the State of Alabama as State trunk roads and to provide the manner in which such roads shall be located, improved and maintained, approved August 10th, 1915.

Also:

H. 736. To designate a part of the Alabama State trunk highway, beginning at Mt. Vernon Camp Ground in Fayette county, on Fayette and Columbus highway; thence in a southeasterly direction to where the present road intersects the Fayette and Kennedy road, near the residence of W. B. Harkins, thence along the said Fayette and Kennedy road north of Luxapalila river extending in a southeasterly direction, passing Sudduth cemetery and Holliman's mill, intersecting the Beaverton, Kennedy and Millport highway, about one mile north of Kennedy, Alabama; also the Newtonville road, beginning at Fayette, Alabama, and extending southward to the Tuscaloosa county line, near Newtonville, Alabama; also that certain road, known as Carbon Hill road, beginning at a point on said Russellville road about six miles northeast of Fayette, Alabama, and extending in a northeasterly direction to Walker county line, near Carbon Hill, Alabama, said roads to be hereafter numbered by the State highway department, as State trunk highways, and to provide that said State trunk highways, created by the provisions of this act, shall receive such benefits as other State trunk highways heretofore established.

Also:

H. 753. To fix the compensation of grand and petit jurymen in counties having a population of not less than 80,000 nor more than 82,000, according to the last Federal census.

Also:

H. 756. To ratify, legalize and confirm all grants, rights, privileges, contracts, bonds, conveyances, sales, leases, rentals, purchases, undertakings, agreements or payments in relation to any United States military camp, remount station, base hospital, aviation field or depot, heretofore made or attempted to be made by or for the use of or benefit of all cities in Alabama which now have a population of as much as twenty-five thousand, and less than fifty thousand people according to the last Federal census; to ratify, legalize and confirm all purchases or rentals of real estate or other property, and all contracts or agreements to purchase or rent, whether within or without the corporate limits of such city; to authorize such city to retain, maintain, sell, lease or convey such property; to authorize and legalize the payment of expenses, charges, costs, court costs made or to be made therein or in relation thereto; to extend the police jurisdiction of such city over said real estate to the extent that such real estate lies in the same county as such city.

Also:

H. 68. To require the payment of interest by banks and other depositories, on the funds of the several counties of the State, when deposited in such banks or depositories.

Also:

H. 527. For the protection of salt water shrimp, to provide the manner in which said crustaceans may be caught, taken and marketed; to fix the seasons during which they may be caught; to authorize the issuance of licenses to persons seining for salt water shrimp, to provide a tax on all salt water shrimp taken in the waters within the State of Alabama, and to provide penalties for the violation of the provisions of this act.

Also:

H. 595. To create, establish and designate an additional State trunk road to be known as No. 23.

Also:

H. 617. To fix the salary of tax collectors in counties having a population of over eighty-two thousand and not exceeding one hundred thousand according to the last Federal census or any subsequent census and allowances for clerical help in said offices and to provide for payment thereof.

Also:

H. 629. To amend section 1 of an act entitled, "An act to designate certain public roads of the State of Alabama as State trunk roads, and to provide the manner in which said roads shall be located, improved and maintained," approved September 10, 1915.

Also:

H. 687. To conserve and save from depletion the public oyster reefs of Alabama, and to further regulate the taking of oysters from the public reefs of the State, and for the protection of and extension of such reefs, and the development of the oyster industry, to declare such oysters the property of the State and to prescribe the condition under which such title may be divested and such oysters become articles of commerce, to provide for the payment of a license and tax by those catching, selling, or transporting the same, the rules of evidence on the trials of those violating the provisions of this act, who may try such cases, provide penalties for the violation of this act, and that all expenses incurred in carrying the provisions of same into effect shall be paid out of the oyster fund.

Also:

H. 712. To provide for the consolidation of adjacent or contiguous cities having each a population between four thousand and six thousand five hundred, according to the last preceding official and published Federal census, and to provide for the organization and officers of such consolidated city.

Also:

H. 732. To designate a certain public road of Alabama as a State trunk road or highway, and to provide the means by which

such State trunk road or highway shall be constructed, improved and maintained.

Also:

H. 208. To amend an act approved September 25, 1915, entitled, "An act to provide for the appointment of an official court reporter by each circuit judge in Alabama; to fix their compensation, define their duties and provide for special reporters in certain cases."

Also:

H. 427. To appropriate the sum of four hundred twenty-eight and 94/100 dollars, the relief of W. H. Jones for overpayments of solicitor fees made by him to the State of Alabama as clerk of the circuit court of Covington county during the period from January 1, 1905, to January 1st, 1916.

With notice and proof attached hereto and exhibited as follows:

NOTICE.

A bill will be introduced in the Legislature of Alabama at the session to be held in July, 1919, for the relief of W. H. Jones, of Covington county to reimburse him out of money not otherwise appropriated, the sum of five hundred dollars, or so much thereof as may be found just and due, for solicitor's fees erroneously paid into the State treasury by W. H. Jones as clerk of the circuit court of Covington county during the years from January 1st, 1905, to January 1st, 1916, and to authorize the State auditor to draw his warrant on the State treasurer for same.

May 19, 1919.

W. H. Jones.

The State of Alabama, }
Covington County. }

Before me, H. J. Broden, clerk of the circuit court in and for said county and State, this day personally appeared Oscar M. Dugger, who being by me first duly sworn, deposes and said: That he is editor, owner and publisher of The Andalusia Star, a semi-weekly newspaper published at Andalusia, in Covington county, Alabama; that the above and foregoing notice was published in said newspaper for four consecutive weeks, beginning May 20, 1919, and ending June 10, 1919, as follows: Tuesday, May 20, 1919; Tuesday, May 27, 1919; Tuesday, June 3, 1919, and Tuesday, June 10, 1919.

Oscar M. Dugger,
Editor, Owner and Publisher of The Andalusia Star.

Sworn to and subscribed before me this 7th day of July, 1919.

(Seal.) H. J. Brogden,
Clerk Circuit Court of said County.

Also:

H. 534. To abolish the county court of Coosa county, and the offices pertaining thereto.

With notice and proof attached hereto and exhibited as follows:

NOTICE.

Notice is hereby given of the intention to apply to the Legislature of Alabama, at the next meeting of the present session, to repeal article three (3) of chapter 198 of the Criminal Code of Alabama, and the acts amendatory thereof, relating to county courts and proceedings therein, in so far as the same applies to Coosa county, and to abolish the county court of Coosa county, Alabama.

The State of Alabama, }
Coosa County. }

~~Before me,~~ a notary public in and for said State and county personally appeared A. D. Bentley, publisher of The Chronicle, a newspaper published weekly in Coosa county, Alabama, and states that the attached notice was published four successive weeks beginning with the issue of June 6, 1919, and ending with June 27, 1919.

(Signed) A. D. Bentley,
Publisher.

Sworn to and subscribed before me this the 5th day of July, 1919.

(Signed) Henry A. Tul,
Notary Public.

Also:

H. 573. To regulate and prescribe the manner of electing the county commissioners of Talladega county.

With notice and proof attached hereto and exhibited as follows:

NOTICE.

Notice is hereby given of intention to apply to the Legislature of Alabama now sitting, for the passage of a local law for Talladega county, Alabama, the substance of which is as follows:

AN ACT

To regulate and prescribe the manner of electing the county commissioners of Talladega county.

Sec. 1. Be it enacted by the Legislature of Alabama, That from and after the passage of this act that the county commissioners of Talladega county shall be elected in the following manner, viz.: the commissioner from the first district shall be elected by the qualified voters of such district; the commissioner from the second district shall be elected by the qualified voters of such district; the commissioner from the third district shall be elected by the qualified voters of such district; and the commissioner from the fourth district shall be elected by the qualified voters of such district.

Sec. 2. That this act shall not change the term of the present commissioners or the commissioners hereafter to be elected, but that the terms of said commissioners shall be and remain as they now are.

Sec. 3. That no person shall be eligible to election as commissioner unless he shall be a qualified elector of the district from which he is elected.

Section 4. That all laws and parts of laws in conflict with the provisions of this act be and the same are hereby repealed.

The State of Alabama, }
Talladega County. }

Personally appeared before me, a _____, in and for said county, P. K. Erwing, who being duly sworn according to law, deposes and says that he is the _____ of the Talladega Reporter, a newspaper published in said county, and that the publication of a certain notice, a true copy of which is hereto affixed, has been made in said newspaper for 4 weeks consecutively, to-wit, in the issues thereof dated as follows: On January 31, 1918; February 7, 14, 21, 1919.

Subscribed and sworn to before me this _____ day _____

(Signed) P. K. Erwing.

Printer's fee, \$4.75.

H. 625. To fix the salary of the deputy solicitor for Baldwin county, Alabama.

With notice and proof attached hereto and exhibited as follows:

NOTICE.

Is hereby given of the intention to apply for the passage of the following law at the next term of the Legislature of Alabama:

A BILL

To be entitled, "An act to fix the salary of the deputy solicitor for Baldwin county, Alabama."

Sec. 1. Be it enacted by the Legislature of Alabama, That the salary of the deputy solicitor for Baldwin county, Alabama, be, and the same hereby is, fixed at the sum of nine hundred dollars (\$900.00) per year, payable in monthly installments of seventy-five dollars (\$75.00) per month, provided, however, that the said salary shall be paid from the fees earned by such solicitor in the county court, and should the said fees so earned in the county court be less than the sum of nine hundred dollars (\$900.00) per year, then the salary of the deputy solicitor of Baldwin county, Alabama, shall be the fees earned in the county court of Baldwin county for the calendar year.

Sec. 2. That all laws and parts of laws in conflict with the provisions of this act hereby are repealed.

Sec. 3. That this act shall go into effect upon its passage and approval by the governor.

AFFIDAVIT OF PUBLICATION.

State of Alabama, }
Baldwin County. }

Abner J. Smith, being duly sworn, deposes and says that he is the publisher of The Baldwin Times, a weekly newspaper published at Bay Minette, Baldwin county, Alabama; that the notice hereto attached of a bill to be entitled, "An act to fix the salary of the deputy solicitor for Baldwin county, Alabama," was published in said newspaper for five consecutive weeks in the following issues, and for a period of thirty days: Date of first publication, June 19th, 1919, Vol. 30, No. 18; date of second publication, June 26th, 1919, Vol. 30, No. 19; date of third publication, July 3rd, 1919, Vol. 30, No. 20; date of fourth publication, July 10th, 1919,

Vol. 30, No. 21; date of fifth publication, July 17th, 1919, Vol. 30, No. 22.

Abner J. Smith,
Publisher.

Subscribed and sworn to before the undersigned this 21st day of July, 1919.

T. W. Richman,
Notary Public, Baldwin County, Alabama.

H. 630. To relieve H. T. Deese, a Confederate soldier.

With notice and proof attached hereto and exhibited as follows:

The State of Alabama, }
Cleburne County. }

Personally appeared before me, J. W. Baber, clerk of the circuit court of Cleburne county, Alabama, C. F. Dodson, who being by me first duly sworn, says that he is the publisher of the Cleburne News, a newspaper printed, published and circulated weekly in the town of Heflin, Cleburne county, Alabama, and that he has personal knowledge that the following notice, to-wit:

NOTICE.

There will be a bill introduced at the next session of the Legislature of the State of Alabama to pay H. T. Deese the sum of eighty dollars, due him, a Confederate pensioner. December 28, 1918.

H. T. Deese.

was published once a week for four consecutive weeks without expense to the State, to-wit: January 2, 9, 16, 23, 30, 1919, in said Cleburne News, a newspaper printed and published as aforesaid.

C. F. Dodson.

Sworn to and subscribed before me this the 24th day of February, 1919.

J. W. Baber,

Clerk of the Circuit Court of Cleburne County, Alabama.

H. 633. To provide a turn-out time for stock in beat 3 in Coffee county, Alabama.

With notice and proof attached hereto and exhibited as follows:

NOTICE OF PROPOSED LOCAL ACT.

Notice is hereby given that application will be made at the present session of the Legislature of Alabama, to reconvene in July, 1919, for the passage of the following local bill:

A BILL

To be entitled an act to provide a turn-out time for stock in beats 3 and 19 in Coffee county, Alabama.

Section 1. Be it enacted by the Legislature of Alabama, That in beats three and nineteen in Coffee county, Alabama, it shall be lawful for the owners of any horse, mule, cow, hog, sheep or goat, in beat 3 and 19, in Coffee county, Alabama, to permit such animals to run at large off the premises of such owners but not outside of said beats 3 and 19, in Coffee

county, Alabama, for and during a period beginning December 1st and ending February 15th of each year after the passage of this act. Provided, that no such animals shall be permitted to run at large outside of the said beats in said county of Coffee.

Section 2. That all laws and parts of law in conflict with this act are hereby repealed.

This the 30th day of May, 1919.

Giles Hudson, Elba, Alabama, Route 5.

State of Alabama, }
Coffee County.

Before me, S. H. Brock, clerk circuit court in and for said State and county, personally appeared R. C. Bryan, who being sworn, says on oath that he is editor and publisher of the Elba Clipper, a newspaper published at Elba, Coffee county, Alabama, and that the hereto attached notice was published in said newspaper once a week for four consecutive weeks, the first insertion being in issue dated June 13, 1919, and the last in issue dated July 4, 1919.

R. C. Bryan.

Sworn to and subscribed before me this 21st day of July, 1919.

(Seal.) Clerk Circuit Court in and for said State and County.
S. H. Brock,

H. 702. To provide for the town of Albertville and school district known as the Albertville school district, to manage and control the affairs of its public schools in said school district. To provide for the election of a board of education by the town council of the town of Albertville, Alabama. To authorize said board of education to mortgage or pledge the property of said public school for the purpose of procuring additional funds to build or erect and equip a suitable public school building in said town of Albertville, and to authorize payment and satisfaction of said mortgage out of funds hereafter derived from the levy of a special school tax in said school district.

With notice and proof attached hereto and exhibited as follows:

AFFIDAVIT OF PUBLICATION.

Before me, Thos. E. Orr, notary public in and for the county of Marshall and State of Alabama, personally appeared L. J. Fowler, publisher of the Sand Mountain Banner, a weekly newspaper published at Albertville, Marshall county, Alabama, who by me being first duly sworn, deposes and says that, the attached bill, entitled an act to provide for the town of Albertville and school district known as the Albertville school district, to manage and control the affairs of its public schools in said school district. To provide for the election of a board of education by the town council of the town of Albertville. To authorize said board of education to mortgage or pledge the property of said public school for the purpose of procuring additional funds to build or erect and equip a suitable public school building in said town of Albertville, and to authorize the payment and satisfaction of said mortgage out of funds hereafter derived from the levy of a special school tax in said school district, was published at length for four consecu-

tive weeks covering a period of 30 days, beginning with the issue of May 29th, 1919, and ending with the issue of June 19th, 1919, and in said issues of said paper notice was given for 30 days that said bill would be introduced in the Legislature at its next session beginning on the 8th day of July, A. D. 1919.

L. F. Fowler,
Publisher.

Subscribed and sworn to before me this 3rd day of July, A. D. 1919.

Thos. E. Orr,
Notary Public.

H. 706. To appropriate the sum of \$234.00 to be paid to Israel Belser, in full settlement of the amount due him by the State of Alabama for services rendered as assistant State chaplain of convicts during 1915 and part of 1916, for which services he has not been paid.

With notice and proof attached hereto and exhibited as follows:

NOTICE.

Notice is hereby given that a bill will be introduced at the coming session of the Legislature of Alabama appropriating the sum of \$234 for the relief of Israel Belser, same being amount of salary or pay due the said Israel Belser for services rendered the State of Alabama as an assistant chaplain of State convicts.

Israel Belser.

State of Alabama, }
Montgomery County. }

Personally appeared before me, L. L. Mooneyham, a notary public in and for said State and county, Brame Hood, who states on oath that he is assistant manager of the Montgomery Journal, that the attached notice of Israel Belser appeared in the Montgomery Journal June 10th, 17th, 24th and July 1st.

Brame Hood.

Sworn to and subscribed before me this 15th day of July, 1919.

L. L. Mooneyham,
Notary Public.

Also:

H. 720. Empowering the clerk of the circuit court in the county of Baldwin to take affidavits for the arrest of parties charged with crime, and to issue warrants for the arrest of such parties, returnable before the judge of the county court.

With notice and proof attached hereto and exhibited as follows:

NOTICE.

Is hereby given of the intention to apply for the passage of the following law at the adjourned term of the Legislature of Alabama, which convenes on the 8th day of July, 1919:

AN ACT

Empowering the clerk of the circuit court in the county of Baldwin to take affidavits for the arrest of parties charged with crime, and to issue

warrants for the arrest of such parties, returnable before the judge of the county court.

Section 1. Be it enacted by the general assembly of Alabama, That the clerk of the circuit court of the said county of Baldwin is hereby empowered to take affidavits for the arrest of parties charged with the commission of crime in said county, either misdemeanor or felony, and to issue warrants for the arrest of such parties, such warrants to be returned before the judge of the county court.

Section 2. Be it further enacted, That all laws and parts of laws in conflict with the provisions of this act be and the same are hereby repealed.

Section 3. That this act shall go into effect immediately upon its passage and approved by the governor.

AFFIDAVIT OF PUBLICATION.

State of Alabama, }
Baldwin County. }

Abner J. Smith, being duly sworn, deposes and says that he is the publisher of The Baldwin Times, a weekly newspaper published at Bay Minette, Baldwin county, Alabama; that the notice hereto attached of an act empowering the clerk of the circuit court in the county of Baldwin to take affidavits for the arrest of parties charged with crime, and to issue warrants for the arrest of such parties, returnable before the judge of the county court, was published in said newspaper for four consecutive weeks in the following issues: Date of first publication, June 26th, 1919, Vol. 30, No. 19; date of second publication, July 3rd, 1919, Vol. 30, No. 20; date of third publication, July 10th, 1919, Vol. 30, No. 21; date of fourth publication, July 17th, 1919, Vol. 30, No. 22.

Abner J. Smith,
Publisher.

Subscribed and sworn to before the undersigned this 18th day of July, 1919.

James M. Voltz,
Judge of Probate of Baldwin County, Alabama.

H. 723. To make the clerk of the circuit court of Baldwin county, ex-officio clerk of the county court, and fixing his fees for such services.

With notice and proof attached hereto and exhibited as follows:

NOTICE.

Is hereby given of the intention to apply for the passage of the following law at the adjourned term of the Legislature which convenes on the 8th day of July, 1919:

AN ACT

Making the clerk of the circuit court of Baldwin county ex-officio clerk of the county court of said county, and fixing his fees for such services.

Section 1. Be it enacted by the General Assembly of Alabama, That the clerk of the circuit court of Baldwin county shall be, ex-officio, clerk of the county court of said county; and he shall receive for his services as such clerk of the county court, such fees as are allowed him for the services in the circuit court, to be taxed and collected in the same manner.

Section 2. That this act shall go into effect immediately upon its passage and approval by the governor.

AFFIDAVIT OF PUBLICATION.

State of Alabama, }
 Baldwin County. }

Abner J. Smith, being duly sworn, deposes and says that he is the publisher of The Baldwin Times, a weekly newspaper published at Bay Minette, Baldwin county, Alabama; that the notice hereto attached of an act making the clerk of the circuit court of Baldwin county ex-officio clerk of the county court of said county, and fixing his fees for such services, was published in said newspaper for four consecutive weeks in the following issues: Date of first publication, June 26th, 1919, Vol. 30, No. 19; date of second publication, July 3rd, 1919, Vol. 30, No. 19; date of ~~third publication~~, July 10th, 1919, Vol. 30, No. 19; date of fourth publication, July 17th, 1919, Vol. 30, No. 19.

Abner J. Smith,
 Publisher.

Subscribed and sworn to before the undersigned this 18th day of July, 1919.

(Seal.) James M. Voltz,
 Judge of Probate of Baldwin County, Alabama.

H. 729. To make better provision for the payment of the fees of State witnesses in criminal cases in the circuit court and county court and before the grand jury of Crenshaw county, to make appropriations therefor and to fix the amount of such fees and to prescribe the duties of the county treasurer under this act.

With notice and proof attached hereto and exhibited as follows:

TO THE PEOPLE OF CRENSHAW COUNTY.

Take notice that at the coming session of the Legislature, which convenes on the 8th day of July, 1919, a bill will be introduced for passage and enactment into law, the substance of which shall be as follows:

A BILL

To be entitled an act to make better provision for the payment of the fees of State witnesses in criminal cases in the circuit court and county court and before the grand jury of Crenshaw county, to make appropriations therefor and to fix the amount of such fees and to prescribe the duties of the county treasurer under this act.

Be it enacted by the Legislature of Alabama:

Section 1. That there is hereby appropriated out of the general fund of Crenshaw county, the sum of fifteen hundred dollars annually to be used for the payment of the fees of State witnesses in criminal cases in the circuit court and the county court and before the grand juries of Crenshaw county and it shall be the duty of the county treasurer to set aside such sum annually on the first day of December, from the general fund of the county to be used, or so much thereof as may be necessary, to be used for said purpose. Said sum shall be used only for the payment of witness fees that accrue after the passage of this act.

Section 2. No payment of any witness fee hereunder shall be made except to the witness to whom the witness certificate was issued and who shall be at the time of payment the owner of said certificate; provided, how-

ever, that in the event of the death of the witness before payment the treasurer shall pay the same to the personal representatives of the deceased and to no other.

Section 3. The fees of witnesses in criminal cases in said circuit court and county court and before the grand jury, shall be one dollar per day and five cents for each mile to and from their residence by the route usually traveled.

Section 4. All claims and items of cost, which under existing law are made claims against the fine and forfeiture fund of said county, shall continue to be claims against said funds as they accrue, and shall be paid in the manner provided by law, except the witness fees paid out of the money appropriated by this act and this act shall not be held to repeal any law regulating said fund or the payment of claims against the same.

Section 5. This act shall go into effect and become operative on and after the first day of December, 1919.

Section 6. All laws and parts of laws, local, general or special in conflict with this act are hereby repealed.

W. H. Stoddard,
Representative for Crenshaw County.

AFFIDAVIT OF PUBLICATION.

I, C. L. Keelter, publisher of the Crenshaw County News, a newspaper published weekly at Luverne, Crenshaw county, Alabama, do solemnly swear that a copy of the above notice, as per clipping attached, was published once a week in the regular and entire issue of said newspaper, and not in any supplement thereof, for four consecutive weeks, commencing with the issue dated July 10th, 1919, and ending with the issue dated July 31st, 1919.

Subscribed and sworn to before me this 31st day of July, 1919.

(Seal.)

C. L. Keelter.
Wilkie Pope,
Notary Public.

H. 743. To vacate, close and annul as a public highway or street, that portion of 25th street, which lies between the north-west sides of 7th alley and the southwest side of 8th avenue.

With notice and proof attached hereto and exhibited as follows:

NOTICE.

Notice is hereby given that at the next meeting of the Legislature of Alabama, (present session) the following bill will be introduced for passage and adoption:

AN ACT

Entitled "An act to vacate, close and annul as a public highway or street, that portion of 25th street which lies between the northwest sides of 7th alley and the southeast side of 8th avenue."

Be it enacted by the Legislature of Alabama:

Section 1. That portion or part of 25th street which lies between the northwest side of 7th alley and the southeast side of 8th avenue in the city of Bessemer, according to the map and plan of said city, be and the same is hereby vacated, closed and annulled as a public highway or street.

Section 2. This act shall take effect immediately upon its passage and approval.

State of Alabama, }
 Jefferson County. }

I, W. H. H. Judson, editor of the Bessemer Weekly, a newspaper published in the city of Bessemer, Alabama, do hereby state on oath the following:

That the attached notice was published in the said Bessemer Weekly for four (4) consecutive weeks, commencing with the issue of said paper on the 5th day of July, 1919, and for each week thereafter to and including the week of 26th of July, 1919.

This the 29th day of July, 1919.

Wm. H. H. Judson.

Sworn and subscribed to before me on this the 30th day of July, 1919.

Arthur Green,
 Notary Public.

H. 478. To prohibit goats from running at large in precinct 9 of Jefferson county, Alabama, and to prescribe the jurisdiction and a penalty for the violation thereof.

With notice and proof attached hereto and exhibited as follows:

LEGAL NOTICE.

Notice is hereby given that the following bill will be introduced at the next session of the State Legislature of Alabama:

A BILL

To be entitled an act to prohibit goats from running at large in precinct 9 of Jefferson county, Alabama, and to prescribe the jurisdiction and a penalty for the violation thereof.

Be it enacted by the Legislature of Alabama:

Section 1. That it shall be unlawful for any person to knowingly allow goat or goats to run at large in precinct 9 of Jefferson county, Alabama.

Section 2. That any person violating section 1 of this act shall, upon conviction, be fined not less than \$10 nor more than \$50, and may also be sentenced to hard labor for the county for not more than 30 days, and may be tried before justices of the peace in the precinct where the offense occurred.

Section 3. This bill shall become effective upon its passage and approval.

CERTIFICATE OF PUBLICATION.

I, E. B. Hilliard, bookkeeper for The Birmingham Ledger Company, do hereby certify that an advertisement of Dr. McGee, published in the daily edition of the Birmingham Ledger, Birmingham Alabama, as per specifications below: Date of issue, April 12, 19, 26, May 1. Heading of advertisement: (See clipping hereto.)

Dated at Birmingham, Alabama, this 28th day of May, 1919.

E. B. Hilliard,
 Bookkeeper.

Subscribed and sworn to before me this 28th day of May, 1919.

(Seal.) B. E. McGehee,
 Notary Public.

And sends same herewith to the Senate.

Fred H. Gormley,
 Clerk.

HOUSE MESSAGE.

The House bills in the foregoing House message were severally read once and referred to appropriate standing committees as follows:

H. 445, H. 720. To the Committee on Revision of Laws.

H. 489, H. 687, H. 527. To the Committee on Fish Game and Forestry.

H. 607, H. 638, H. 659, H. 701, H. 736, H. 595, H. 629, H. 732. To the Committee on Public Roads and Highways.

H. 649, H. 756, H. 208, H. 573. To the Committee on Judiciary.

H. 650, H. 534, H. 723, H. 729, H. 743, H. 478, H. 633. To the Committee on Local Legislation.

H. 753, H. 427, H. 625, H. 630, H. 706, H. 617. To the Committee on Finance and Taxation.

H. 712. To the Committee on Municipalities and Municipal Organizations.

H. 68. To the Committee on Banking and Insurance.

H. 702. To the Committee on Education.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has passed the following Senate bills:

S. 365. To divide Barbour county into six districts to be known as board of revenue districts, and to provide for the elections of a member of the board of revenue of Barbour county from each district, by the qualified voters of each district, and also one member of the board of revenue from the county at large.

S. 342. To vacate and to annul the dedication of that part of Fifth Sixth and Seventh streets in the city of Anniston, State of Alabama, through, over, on or across and as projected through, over on or across that certain tract of land situated and being in said city of Anniston and bounded on the north by Tenth street, on the east by the right of way of the main line of the Mobile division of the Southern Railway Company (formerly the East Tennessee, Virginia and Georgia Railway Company), on the south by Fourth street and the right of way of the Birmingham division of the Southern Railway Company (formerly Georgia Pacific Railway Company), and on the west by Glen Addie street and the right of way of the said Birmingham division of the Southern Railway Company.

S. 347. To amend section (3) of an act entitled, "An act to create and establish the office of general guardian ad litem in all

counties of sixty thousand (60,000) population and not exceeding eighty-two thousand (82,000) population according to the last Federal census; to prescribe his duties and qualifications; to provide for his appointment and to fix his compensation and term of office; to provide for the appointment of a guardian ad litem in cases where the general guardian ad litem is disqualified or where the interest of the infants interested in the case are antagonistic or conflicting; and to provide a penalty for wrongfully appointing such guardian ad litem," approved March 22nd, 1911, as amended by an act approved July 27th, 1915.

S. 307. To designate a certain public road of the State of Alabama as a State trunk road, and to provide the manner in which such road shall be located, improved and maintained and to make its establishment imperative.

S. 245. To repeal an act entitled, "An act to provide for and regulate the compensation of State witnesses in all courts of record for Covington county, exercising criminal jurisdiction and to provide for the payment of same," approved August 20th, 1915.

S. 357. To designate certain described roads as State trunk roads for Alabama.

S. 313. To amend section 1 of an act entitled, "An act creating and establishing the juvenile court of Mobile county, and defining its powers and jurisdiction; providing for the process and procedure of said court; for the equipment of said court; for officers of said court and their salaries and defining their powers and providing a commission to aid in carrying out the work of the court and prescribing its duties."

S. 403. To amend section 1 of "An act to provide for the more efficient working of the public roads in Mobile county, and certain streets and public thoroughfares in the city of Mobile; provide for the control, working, building, maintenance and improvement of the same by the board of revenue and road commissioners of Mobile county; to prescribe the duties and fix the authority of said board; to provide for the levy and collection of a road tax, and the method of disbursing moneys necessary to carry out the provisions of this act and provide penalties for violation of its provision," which act was approved August 2nd, 1907.

S. 329. To provide for and fix the compensation to be allowed the sheriff and circuit clerk of Covington county for all official duties for the compensation of which no express provision is made by law; and to provide how the court of county commissioners of Covington county shall fix and allow said compensation and to regulate the same; to provide for the repeal of all laws,

local, special or general in conflict therewith insofar as they relate to the compensation of the sheriff and circuit clerk of Covington county.

And returns same herewith to the Senate.

Fred H. Gormley,
Clerk.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has concurred in and adopted the Senate amendment to the bills:

H. 11. To extend and regulate the granting of teachers' certificates to persons who served in the army or navy of the United States during the war with Germany.

H. 479. To better provide for holding the circuit court of the tenth judicial circuit at Bessemer, in and for the following portions of Jefferson county, to-wit: Williams precinct No. 1, Jonesboro precinct No. 2, Parsons precinct No. 3, Aarons precinct No. 4, Short Creek precinct No. 5, Bethlehem precinct No. 7, Meeks precinct No. 24, Toadvine precinct No. 27, Bessemer precinct No. 33, Gwins precinct No. 35, Huey's precinct No. 40, Parkwood precinct No. 41, Mulga precinct No. 49, Virginia Mines precinct No. 51, Fairfield precinct No. 53, and Brighton precinct No. 55, to define the jurisdiction thereof, to provide for organizing and empanelling grand juries therefor and define the jurisdiction of said grand juries, to regulate the holding of said court at said place and otherwise provide therefor.

Fred H. Gormley,
Clerk.

REPORT FROM COMMITTEE ON ENROLLED BILLS.

Mr. President:

Your Standing Committee on Enrolled Bills beg leave to report that said committee, in session, have compared the following enrolled bills, with the engrossed and original bills, respectively, and find same correctly enrolled, to-wit:

S. 365. To divide Barbour county into six districts to be known as board of revenue districts, and to provide for the election of a member of the board of revenue of Barbour county from each district, by the qualified voters of each district, and also one member of the board of revenue from the county at large.

S. 245. To repeal an act entitled, "An act to provide for and regulate the compensation of State witnesses in all courts of record for Covington county, exercising criminal jurisdiction and to provide for the payment of same," approved August 20th, 1915.

S. 403. To amend section 1 of "An act to provide for the more efficient working of the public roads of Mobile county, and certain streets and public thoroughfares in the city of Mobile; provide for the control, working, building, maintenance and improvement of the same by the board of revenue and road commissioners of Mobile county; to prescribe the duties and fix the authority of said board; to provide for the levy and collection of a road tax, and the method of disbursing moneys necessary to carry out the provisions of this act and provide penalties for violation of its provision," which act was approved August 2nd, 1907.

S. 307. To designate a certain public road of the State of Alabama as a State trunk road, and to provide the manner in which such road shall be located, improved and maintained and to make its establishment imperative.

S. 357. To designate certain described roads as State trunk roads for Alabama.

S. 313. To amend section 1 of an act entitled, "An act creating and establishing the juvenile court of Mobile county, and defining its powers and jurisdiction; providing for the process and procedure of said court; for the equipment of said court; for officers of said court and their salaries and defining their powers and providing a commission to aid in carrying out the work of the court and prescribing its duties."

S. 347. To amend section three (3) of an act entitled "An act to create and establish the office of general guardian ad litem in all counties of sixty thousand (60,000) population and not exceeding eighty-two thousand (82,000) population, according to the last Federal census; to prescribe his duties and qualifications; to provide for his appointment and to fix his compensation and term of office; to provide for the appointment of a guardian ad litem in cases where the general guardian ad litem is disqualified or where the interest of the infants interested in the case are antagonistic or conflicting; and to provide a penalty for wrongfully appointing such guardian ad litem," approved March 22nd, 1911, as amended by an act approved July 17th, 1915.

Chas. McDowell, Jr.,
Chairman.

SIGNING OF BILLS.

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the following bills:

S. 365. To divide Barbour county into six districts to be known as board of revenue districts, and to provide for the election of a member of the board of revenue of Barbour county from each district, by the qualified voters of each district, and also one member of the board of revenue from the county at large.

S. 245. To repeal an act entitled, "An act to provide for and regulate the compensation of State witnesses in all courts of record for Covington county, exercising criminal jurisdiction and to provide for the payment of same," approved August 20th, 1915.

S. 403. To amend section 1 of "An act to provide for the more efficient working of the public roads in Mobile county, and certain streets and public thoroughfares in the city of Mobile; provide for the control, working, building, maintenance and improvement of the same by the board of revenue and road commissioners of Mobile county; to prescribe the duties and fix the authority of said board; to provide for the levy and collection of a road tax, and the method of disbursing moneys necessary to carry out the provisions of this act and provide penalties for violation of its provisions," which act was approved August 2nd, 1907.

S. 307. To designate a certain public road of the State of Alabama as a State trunk road and to provide the manner in which such road shall be located, improved and maintained and to make its establishment imperative.

S. 357. To designate certain described roads as State trunk roads for Alabama.

S. 313. To amend section 1 of an act entitled, "An act creating and establishing the juvenile court of Mobile county, and defining its powers and jurisdiction; providing for the process and procedure of said court; for the equipment of said court; for officers of said court and their salaries and defining their powers and providing a commission to aid in carrying out the work of the court and prescribing its duties."

S. 347. To amend section three (3) of an act entitled, "An act to create and establish the office of general guardian ad litem in all counties of sixty thousand (60,000) population and not exceeding eighty-two thousand (82,000) population, according to the last Federal census; to prescribe his duties and qualifications; to provide for his appointment and to fix his compensation and term of office; to provide for the appointment of a guardian ad litem in cases where the general guardian ad litem is disqualified or where the interest of the infants interested in the case are antagonistic or conflicting; and to provide a penalty for wrongfully appointing such guardian ad litem," approved March 22nd, 1911, as amended by an act approved July 27th, 1915.

REPORT FROM COMMITTEE ON ENGROSSED BILLS.

Mr. President:

Your Standing Committee on Engrossed Bills beg leave to report that said committee, in session, have examined and compared the following engrossed bills with the originals and find same correctly engrossed, to-wit:

S. 285. To make an appropriation for the relief of Robert H. Greene.

S. 420. To exempt from service on the public roads and streets of any incorporated city or town all persons who served the United States in the army, navy, or marine service in the war with Germany.

S. 424. To permit bonds to be given for property seized under the prohibition act, pending appeal to the Supreme Court.

S. 407. To fix the time when a special school tax levied by any county or school district shall become collectible, and to provide for the levy and collection thereof.

S. 454. To amend section 1 of an act entitled an act to designate certain public roads of the State of Alabama as State trunk roads and to provide the manner in which such roads shall be located, improved and maintained, approved September 10th, 1915.

R. B. Evins,
Chairman.

GOVERNOR'S MESSAGE.

August 15, 1919.

Gentlemen of the Senate:

I beg to hand you herewith Senate bill No. 349, and a message from the governor concerning the same, which is self-explanatory.

Respectfully,

W. A. Darden,
Secretary to the Governor.

MESSAGE FROM THE GOVERNOR.

SENATE BILL 349.

Gentlemen of the Senate:

Senate bill No. 349 is herewith returned without my approval, because its provisions can apply only to Mobile county, according to the Federal census of 1910. If next after the words "according to the Federal census of 1910," wherever they occur in the bill, the words, "or any subsequent Federal census" are inserted, the bill will meet with my approval.

Respectively,

Thos. E. Kilby,
Governor.

GOVERNOR'S AMENDMENT ADOPTED.

The foregoing amendment offered by his excellency, the governor, to the bill:

S. 349. To enlarge and further define the duties and fix the compensation of humane officers in counties of this State having a population of not less than 80,000 nor more than 82,000, according to the Federal census of 1910.

Was concurred in and adopted.

Yeas, 26; nays, 0.

Which was a majority of the whole number elected to the Senate.

Yeas:

Messrs:

Baker	Ellis	Leith	Rogers (Sumter)
Briscoe	Evins	Miller	Sims
Butler	Griffith	Moore	Smith (Coosa)
Carlton	Gunter	Morris	Smith (Lawrence)
Carmichael	Harper	Phillips	Tally
Cowan	Huddleston	Prestwood	West
Craft	Kelly		

—26

Nays:—None.

RESOLUTIONS.

Mr. Carmichael offered the following resolution:

S. R. 116. Resolved by the Senate, That the Senate go into a committee of the whole at 12:30 o'clock today for the consideration of:

H. 383. To provide for the general revenue of the State of Alabama.

And that the senators shall sit as a committee of the whole during such time as they elect during the present legislative day.

Resolved, further that the senators shall sit in committee of the whole for the further consideration of said bill on Tuesday, August 19, and Wednesday, August 20th, and that the sessions of said days shall be from 10 o'clock A. M., till one o'clock P. M. and from 2:30 o'clock P. M., till 5:30 P. M.

The above resolution was read and referred to the Committee on Rules.

Mr. Rogers of Sumter offered the following resolution:

S. R. 117. Resolved, That beginning with the thirty-eighth legislative day the Senate begins to hold night sessions for the purpose of clearing the Senate calendar of bills.

The foregoing resolution was read and referred to the Committee on Rules.

Mr. Carmichael offered the following resolution :

S. J. R. 118. Resolved by the Senate, the House concurring, That when both houses adjourn today it be till Wednesday, August 20th, at two o'clock P. M.

The foregoing resolution was read and referred to the Committee on Rules.

REPORT FROM THE COMMITTEE ON RULES.

Mr. Miller, acting chairman of the Committee on Rules, reported that said committee, in session, had acted on the following resolutions and ordered same returned to the Senate with a favorable report, to-wit:

S. J. R. 118. Resolved by the Senate, the House concurring, That when both houses adjourn today it be till Wednesday, August 20, two o'clock, P. M.

The foregoing resolution, under unanimous suspension of the rules, was adopted and ordered sent forthwith to the House without engrossment.

Also:

S. R. 116. (With substitute.) Resolved, That the Senate go into a committee of the whole at 12:30 o'clock today for the consideration of:

H. 383. To provide for the general revenue of the State of Alabama."

The foregoing resolution was adopted under a unanimous suspension of the rules.

REPORT FROM COMMITTEE ON REVISION OF THE JOURNAL.

Mr. Griffith, chairman of the Committee on Revision of the Journal, reported that said committee, in session, had examined the Journals of the Senate for the 34th and 35th legislative days of this session, and find same contain the proper entries in reference to each bill and resolution contained therein, as required by the Constitution.

A. A. Griffith,
Chairman.

COMMITTEE REPORT.

On motion of Mr. Griffith, the foregoing report from the Committee on Revision of the Journal was adopted and the Journal of the 34th and 35th legislative days of the session were approved by the Senate.

MESSAGE FROM THE HOUSE.

Mr. President:

The Speaker having signed the following House bills, your signature thereto is requested:

H. 104. To repeal section 6698 of the Code of Alabama of 1907, and to make the clerks of the circuit courts of the respective counties ex-officio clerks of the county courts of said counties; to provide payment for services of such clerks, manner of payment and to provide for a bond as such clerk.

H. 509. To require all unpaid fees accruing to the sheriff or clerk and fees accruing to State's witnesses in criminal cases in Henry county, Alabama, since the first day of January, 1913, and prior to the first day of August, 1919, to be registered and paid out of the fine and forfeiture fund of said county.

H. 11. To extend and regulate the granting of teachers' certificates to persons who served in the army or navy of the United States during the war with Germany.

H. 479. To better provide for holding the circuit court of the tenth judicial circuit at Bessemer, in and for the following portions of Jefferson county, to-wit: Williams precinct No. 1, Jonesboro precinct No. 2, Parsons precinct No. 3, Aarons precinct No. 4, Short Creek precinct No. 5, Bethlehem precinct No. 7, Meeks precinct No. 24, Toadvine precinct No. 27, Bessemer precinct No. 33, Gwins precinct No. 35, Huey's precinct No. 40, Parkwood precinct No. 41, Mulga precinct No. 49, Virginia Mines precinct No. 51, Fairfield precinct No. 53, and Brighton precinct No. 55, to define the jurisdiction thereof, to provide for organizing and empanelling grand juries therefor and define the jurisdiction of said grand juries, to regulate the holding of said court at said place and otherwise provide therefor.

Fred H. Gormley.

SIGNING OF BILLS.

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the following bills:

H. 104. To repeal section 6698 of the Code of Alabama of 1907, and to make the clerks of the circuit courts of the respective counties ex-officio clerks of the county courts of said counties; to provide payment for services of such clerks, manner of payment and to provide for a bond as such clerk.

H. 509. To require all unpaid fees accruing to the sheriff or clerk and fees accruing to State's witnesses in criminal cases

in Henry county, Alabama, since the first day of January, 1913, and prior to the first day of August, 1919, to be registered and paid out of the fine and forfeiture fund of said county.

H. 11. To extend and regulate the granting of teachers' certificates to persons who served in the army or navy of the United States during the war with Germany.

H. 479. To better provide for holding the circuit court of the tenth judicial circuit at Bessemer, in and for the following portions of Jefferson county, to-wit: Williams precinct No. 1, Jonesboro precinct No. 2, Parsons precinct No. 3, Aarons precinct No. 4, Short Creek precinct No. 5, Bethlehem precinct No. 7, Meeks precinct No. 24, Toadville precinct No. 27, Bessemer precinct No. 33, Gwins precinct No. 35, Huey's precinct No. 40, Parkwood precinct No. 41, Mulga precinct No. 49, Virginia Mines precinct No. 51, Fairfield precinct No. 53, and Brighton precinct No. 55, to define the jurisdiction thereof, to provide for organizing and empanelling grand juries therefor and define the jurisdiction of said grand juries, to regulate the holding of said court at said place and otherwise provide therefor.

MESSAGE FROM THE HOUSE.

Mr. President:

The Speaker having signed the following House bills, your signature thereto is requested:

H. 436. To authorize all counties having a population of 18,889 and not exceeding 18,890 according to the last Federal census to prescribe punishment for not working the public roads in such counties and to determine what shall constitute a legal excuse for failure to work public roads after due notice is given.

Also:

H. 384. To repeal an act entitled an act to authorize the commissioner's court of Etowah county to levy a tax for making the public roads of said county and to provide for keeping said roads in repair. To provide that the general road law shall apply to Etowah county.

Also:

H. 385. To require all fines imposed by any court in Etowah county upon convictions of any and all criminal offenses against the State laws and all forfeitures made final, to be paid in money, requiring such money to be deposited in the fine and forfeiture fund of the county; to provide the manner of paying warrants now and hereafter drawn against said fund, and to appropriate any surplus of said fund to the public road fund of the county.

H. 504. To amend section one (1) of an act entitled, "An act to incorporate the town of Opp in the county of Covington, State of Alabama," approved February 28th, 1901.

Fred H. Gormley,
Clerk.

SIGNING OF BILLS.

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the following bills:

H. 436. To authorize all counties having a population of 18,889 and not exceeding 18,890 according to the last Federal census to prescribe punishment for not working the public roads in such counties and to determine what shall constitute a legal excuse for failure to work public roads after due notice is given.

Also:

H. 384. To repeal an act entitled an act to authorize the commissioner's court of Etowah county to levy a tax for making the public roads of said county and to provide for keeping said roads in repair. To provide that the general road law shall apply to Etowah county.

Also:

H. 385. To require all fines imposed by any court in Etowah county upon convictions of any and all criminal offenses against the State laws and all forfeitures made final, to be paid in money, requiring such money to be deposited in the fine and forfeiture fund of the county; to provide the manner of paying warrants now and hereafter drawn against said fund, and to appropriate any surplus of said fund to the public road fund of the county.

Also:

H. 504. To amend section one (1) of an act entitled, "An act to incorporate the town of Opp in the county of Covington, State of Alabama," approved February 28th, 1901.

BILLS TAKEN FROM THE ADVERSE CALENDAR.

In accordance with notice heretofore given the bill:

S. 385. To provide that it shall be unlawful to require nurses who are in training to work more than eight hours a day, and to provide a penalty for a violation of this act.

Was taken from the adverse calendar, read a second time and placed on the regular calendar on motion of Mr. Huddleston.

Also the bill:

S. 456. To provide for the issuance of certificates to practice medicine in this State to persons who have diplomas from a recognized school of medicine and who have had at least six months hospital service as a physician in a hospital then operated or controlled by the United States government during the war with Germany and its allies, and who can furnish recommendations from five reputable physicians who are members of the Alabama Medical Association.

Was on motion of Mr. Leith taken from the adverse calendar, read a second time, and placed upon the regular calendar.

LEAVES OF ABSENCE.

On motion of Mr. Ellis indefinite leave of absence was granted Mr. Acker.

On motion of Mr. Craft leave of absence was granted Mr. Bedsole for today.

Mr. Kelly asked for leave of absence for today, which request was granted.

BILLS ON THIRD READING.

The bill:

H. 507. To provide for the payment of the fees of State's witnesses in criminal cases in Henry county, Alabama.

Was read a third time at length and passed.

Yeas, 22; nays, 0.

Yeas:

Messrs:

Baker	Ellis	Moore	Sims
Beale	Espy	Morris	Smith (Coosa)
Briscoe	Evins	Nance	Smith (Lawrence)
Carlton	Gunter	Phillips	Tally
Cowan	Harper	Rogers (Sumter)	West
Craft	Leith		

—22

Nays:—None.

The bill:

H. 469. To provide for the collection by the court of county revenues of Dallas county of a sum of money in lieu of road duty, to fix the amount thereof, and to set such times as the same shall be payable or shall be barred from payment.

Was read a third time at length and passed.

Yeas, 24; nays, 0.

Yeas:

Messrs:

Baker	Briscoe	Butler	Cowan
Beale	Brown	Carlton	Ellis

Espy	Harper	McDowell	Smith (Coosa)
Evins	Kelly	Nance	Smith (Lawrence)
Griffith	Moore	Phillips	Tally
Gunter	Morris	Sims	West

—24

Nays:—None.

The bill:

H. 468. To authorize and empower the probate judge of Dallas county to issue interest-bearing certificates or warrants in extension of certificates or warrants heretofore issued by the probate judge of Dallas county under authority of the court of county revenues or other law; to draft proper form of certificates or warrants, and to define the effect of such certificate or warrant.

Was read a third time at length and passed.

Yeas, 23; nays, 0.

Yeas:

Messrs:

Baker	Craft	Harper	Prestwood
Beale	Ellis	Leith	Sims
Briscoe	Espy	Moore	Smith (Lawrence)
Butler	Evins	Morris	Tally
Carlton	Griffith	Nance	West
Carmichael	Gunter	Phillips	

—23

Nays:—None.

The bill:

H. 467. To authorize the court of county revenues of Dallas county to adopt a budget system in said county and such rules and regulations as may be necessary to carry same into effect, and for the proper government of said county, and confirming the action of said court in putting into effect a budget system for the years of 1918 and 1919.

Was read a third time at length and passed.

Yeas, 23; nays, 0.

Yeas:

Messrs:

Baker	Ellis	Leith	Rogers (Sumter)
Beale	Espy	Moore	Sims
Butler	Evins	Morris	Smith (Lawrence)
Carlton	Griffith	Nance	Tally
Carmichael	Gunter	Phillips	West
Craft	Harper	Prestwood	

—23

Nays:—None.

The bill:

H. 457. To provide a better system of road building and construction for the county of Marion.

Was read a third time at length and passed.

Yeas, 23; nays, 0.

Yeas:

Messrs:

Baker	Craft	Harper	Rogers (Sumter)
Beale	Ellis	Leith	Sims
Butler	Espy	Morris	Smith (Lawrence)
Carlton	Evins	Nance	Tally
Carmichael	Griffith	Phillips	West
Cowan	Gunter	Prestwood	

—23

Nays:—None.

The bill:

H. 382. To repeal an act entitled, "An act to provide for a better system of public roads for the county of DeKalb in this State," approved September 22, 1915.

Was read a third time at length and passed.

Yeas, 25; nays, 0.

Yeas:

Messrs:

Baker	Craft	Harper	Prestwood
Beale	Ellis	Leith	Rogers (Sumter)
Brown	Espy	Moore	Sims
Butler	Evins	Morris	Smith (Lawrence)
Carlton	Griffith	Nance	Tally
Carmichael	Gunter	Phillips	West
Cowan			

—25

Nays:—None.

The bill:

H. 304. To abolish the office of county treasurer of Perry county, and to provide for the court of county commissioners of Perry county, to contract annually with one or more banks in the county of Perry to keep and be custodian of the county funds, requiring bank or banks to give bond as such custodian; said banks or banks to receive and disburse all county funds or warrants allowed by court of county commissioners on certificates from circuit court clerk or of judge of county court, to require tax collector to pay all county moneys over to such bank or banks taking triplicate receipts therefor, requiring all other collecting or receiving county funds to pay same over to said bank or banks, making it unnecessary to have certificates of redemption to be countersigned, requiring probate judge to safely keep redemption

money and pay same over to purchaser on surrender of purchaser's certificate.

Was read a third time at length and passed.

Yeas, 23; nays, 0.

Yeas:

Messrs:

Baker	Ellis	Leith	Rogers (Sumter)
Beale	Espy	Moore	Sims
Butler	Evins	Morris	Smith (Lawrence)
Carlton	Griffith	Nance	Tally
Carmichael	Gunter	Phillips	West
Craft	Harper	Prestwood	

—23

Nays:—None.

The bill:

S. 438. To authorize and direct the board of revenue of Jefferson county, Alabama, to cause to be paid out of the county treasury of Jefferson county, Alabama, stenographic fees incurred by the recess committee having under consideration local legislation for Jefferson county, Alabama.

Was read a third time at length and passed.

Yeas, 25; nays, 0.

Yeas:

Messrs:

Baker	Craft	Miller	Prestwood
Beale	Espy	Moore	Rogers (Sumter)
Brown	Griffith	Morris	Sims
Butler	Gunter	McDowell	Smith (Lawrence)
Carlton	Harper	Nance	Tally
Carmichael	Leith	Phillips	West
Cowan			

—25 .

Nays:—None.

The bill:

S. 423. To amend an act entitled, "An act to create the office of assistant clerk of the inferior criminal court of Mobile county, prescribe his or her duties, fix his or her salary and provide for the method of selection for said office," approved February 15th, 1919.

Was read a third time at length and passed.

Yeas, 25; nays, 0.

Yeas:

Messrs:

Baker	Carlton	Ellis	Gunter
Beale	Carmichael	Espy	Harper
Brown	Cowan	Evins	Leith
Butler	Craft	Griffith	Miller

Moore	Nance	Rogers (Sumter)	Tally
Morris	Prestwood	Smith (Lawrence)	West
McDowell			

—25

Nays:—None.

The bill:

S. 458. To alter or re-arrange the boundary lines of the city of Birmingham, Alabama, so as to exclude from the city of Birmingham certain territory now included in the corporate limits of said city of Birmingham.

Was read a third time at length and passed.

Yeas, 24; nays, 0.

Yeas:

Messrs:

Baker	Craft	Harper	Prestwood
Beale	Ellis	Leith	Rogers (Sumter)
Butler	Espy	Miller	Sims
Carlton	Evins	Moore	Smith (Lawrence)
Carmichael	Griffith	Nance	Tally
Cowan	Gunter	Phillips	West

—24

Nays:—None.

SENATE GOES INTO A COMMITTEE OF THE WHOLE.

The hour of twelve thirty P. M. having arrived, on motion of Mr. Carmichael, and pursuant to Senate resolution heretofore adopted, the Senate went into a committee of the whole.

At 12:50 P. M., the Senate as a committee of the whole recessed until Tuesday at 10 A. M., whereupon the Senate reconvened.

RECESS.

On motion of Mr. Tally the Senate at one P. M., recessed until two thirty P. M., this afternoon.

AFTERNOON SESSION—THIRTY-SIXTH DAY.

Friday, August 15th, 1919.

The Senate re-assembled at 2:30 o'clock P. M.

ROLL CALL.

On a call of the roll 20 senators answered to their names, a quorum of the Senate.

INTRODUCTION OF BILL.

Upon a call of districts the following bill was introduced, read one time and referred to appropriate standing committee, as follows:

By Mr. West:

S. 527. To regulate the acquisition, disposition, possession and use of fire arms and ammunition in this State.

Judiciary.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has originated and passed the following bill:

By Mr. Ross:

H. 609. To amend section four of an act entitled an act to establish an inferior court in precincts two and thirty-three in Jefferson county, Alabama, said precincts lying within or partly within the city of Bessemer in lieu of all justices of the peace in said precincts and to define the jurisdiction and power of the said court and of the judge, clerk and other officers thereof and to provide for a place for holding same; approved August 27th, 1915.

With notice and proof attached hereto and exhibited as follows:

TO THE PUBLIC.

Take notice that when the Legislature of Alabama reconvenes in July, 1919, there will be introduced an act to amend section four of an act establishing an inferior court in precincts two and thirty-three of Jefferson county, Alabama, in lieu of all justice of the peace in said precincts, which said acts to be introduced will be in substance as follows:

A BILL

To be entitled an act to amend section four of an act entitled an act to establish an inferior court in precincts two and thirty three in Jefferson county, Alabama, said precincts lying within or partly within the city of Bessemer in lieu of all justices of the peace in said precincts and to define the jurisdiction on and power of the said court and of the judge, clerk and other officers thereof and to provide for a place for holding the same, approved August 27th, 1915.

Be it enacted by the Legislature of Alabama, as follows:

Section One. That section four of an act entitled an act to establish an inferior court in precincts two and thirty-three in Jefferson county, Alabama, said precincts lying within or partly within the city of Bessemer in lieu of all justices of the peace in said precincts and to define the jurisdiction and power of the said court of the judge, clerk, and other officers thereof and to provide for a place for holding the same, approved August 27th, 1915, be and the same is hereby amended so as to read as follows: Section Four. That the judge of said court shall appoint a clerk, who shall give bond in the penal sum of \$2,000.00 payable to the State of Alabama and conditioned to faithfully discharge the duties of his office, which

bond shall be approved by and filed in the office of the judge of probate of Jefferson county, Alabama; also conditioned to pay over all moneys to the proper officers and persons to whom it is payable, and to faithfully account for all moneys coming into his hands by virtue of his office and upon the said bond there shall be the same liabilities and remedies as upon a bond of a clerk of the circuit court; said clerk shall receive a salary of \$1,500 annually, payable out of the county treasury in equal monthly installments, upon his warrant drawn upon the county treasurer.

Section Two: That all laws and parts of laws in conflict with the provisions of this act be and the same are hereby repealed.

State of Alabama, }
Jefferson County. }

Before me, L. L. Lockwood, a notary public in and for said county, in said State, personally appeared William H. H. Judson, the editor of the Bessemer Weekly, who being by me duly sworn, deposes and says that the foregoing attached notice was published in the Bessemer Weekly, a weekly newspaper of general circulation, published at Bessemer, Jefferson county, Alabama, for four consecutive weeks, that is on the 21st day of June, 1918; 28th day of June, 1919; the 5th day of July, 1919, and the 12th day of July, 1919, and that he is the editor of said paper, and that said notice was published without cost to the State.

Wm. H. H. Jordan.

Sworn to and subscribed before me, this the 12th day of July, 1919.

L. L. Lockwood,
Notary Public.

(Seal.)

And sends same herewith to the Senate.

Fred H. Gormley,
Clerk.

HOUSE MESSAGE.

The House bill in the foregoing House message was read once and referred to appropriate standing committee, as follows:

H. 609. To the Committee on Local Legislation.

BILL POSTPONED.

The bill:

S. 240. To provide for the inspection of all public or private hospitals, reformatories, houses of detention, convents, asylums, sectarian seminaries, schools or institutions, by the sheriff of the county in which such institutions are situated, or by the grand jury thereof, or by any person or persons appointed by the circuit judge of the circuit in which such institutions are located, upon the petition of twenty citizens of said county or district, or by the volition of said judge, and to prescribe penalties for the violation thereof.

Was taken up and Mr. Craft moved that further consideration of the bill be postponed till the 37th legislative day. Mr. West moved to table the motion made by Mr. Craft and the motion to table was lost, and Mr. Craft's motion to postpone the bill till the 37th legislative day carried.

BILLS ON THIRD READING.

The bill:

H. 466. To amend section 1 of an act entitled an act to amend sections 2 and 20 of an act entitled an act to establish a new charter for the town of Edwardsville, Cleburne county, approved February 18, 1897.

Was read a third time at length and passed.

Yeas, 22; nays, 0.

Yeas:

Messrs:

Baker	Espy	Moore	Rogers (Sumter)
Beale	Evins	Morris	Smith (Coosa)
Carlton	Griffith	McDowell	Smith (Lawrence)
Carmichael	Gunter	Nance	Tally
Cowan	Harper	Prestwood	West
Craft	Miller		

—22

Nays:—None.

S. 412. To amend section 4 of "An act to fix the compensation of circuit judges, circuit solicitors, and assistant solicitors in all circuits of the State of Alabama which circuits are composed of only one county and having two or more judges, of which circuits may hereafter have two or more judges, and to provide that a portion of such salaries be paid out of the county treasury of the counties constituting the respective circuits.

Was taken up, and Mr. Gunter offered the following amendment to the bill:

To amend Senate bill 412 by adding the following to the end of section 4: "Provided that nothing contained in this act shall apply to any county having more than five circuit judges."

Which amendment was adopted.

Yeas, 20; nays, 0.

Yeas:

Messrs:

Baker	Espy	Miller	Rogers (Sumter)
Carlton	Evins	Moore	Smith (Coosa)
Carmichael	Griffith	McDowell	Smith (Lawrence)
Cowan	Gunter	Nance	Tally
Craft	Harper	Prestwood	West

—20

Nays:—None.

And said bill as amended was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas, 20; nays, 0.

Yeas:

Messrs:

Baker	Espy	Miller	Rogers (Sumter)
Carlton	Evins	Moore	Smith (Coosa)
Carmichael	Griffith	McDowell	Smith (Lawrence)
Cowan	Gunter	Nance	Tally
Craft	Harper	Prestwood	West

—20

Nays:—None.

The bill:

H. 389. To amend section two (2) of an act to authorize and require the county treasurer of Greene county, Alabama, to transfer all monies from the fine and forfeiture fund of said county into the general fund of said county, and to pay from said general fund all legal claims against said fine and forfeiture fund, approved August 16, 1915.

Was read a third time at length and passed.

Yeas, 23; nays, 0.

Yeas:

Messrs:

Baker	Craft	Miller	Rogers (Sumter)
Beale	Ellis	Moore	Smith (Coosa)
Briscoe	Espy	Morris	Smith (Lawrence)
Carlton	Evins	McDowell	Tally
Carmichael	Griffith	Nance	West
Cowan	Harper	Prestwood	

—23

Nays:—None.

The following resolution:

By Mr. Prestwood:

S. J. R. 112. Whereas, we believe that 4,000,000 veterans of the World War, 79,490 of whom were Alabamians, are a sufficient nucleus for the organization of any army that may be required by our country for some time to come; and,

Whereas, the American people will not tolerate the ruthless abandonment of a policy which created that great civilian army which answered the call, never flinched in the face of the severest fire, and whose record of achievement stands as a guarantee of its ability to handle any situation which may confront it; and,

Whereas, the Chamberlain-Kahn bill recently introduced in Congress, abolishes the citizen soldiery of the United States, which public sentiment demands shall be the backbone of its military strength; and at a time when the people are struggling under the burden of excessive taxation, creates, at enormous expense, the machinery for the establishment in America of that detestable Prussian military system which is abhorrent to the

American people and is as objectionable in some respects as that to suppress which the war was fought; and,

Whereas, the League of Nations and the Chamberlain-Kahn bill can never go hand in hand; and,

Whereas, the league of Nations is a snare and a delusion, or there is no necessity for the passage of the Chamberlain-Kahn bill; and,

Whereas, the general staff of the regular army, failing utterly in its efforts to secure for the regular army necessary recruits by volunteer enlistment, now attempts, in time of peace, under the guise of a universal military service bill, to resort to conscription and to seize, from their homes, the youth of America for service in the regular army; in the Philippine Islands, in Hawaii, in Porto Rico, in the Canal Zone, and even in Russia, should the military dictator created by the provisions of this vicious bill determine the emergency demands; and,

Whereas, the Chamberlain-Kahn bill destroys and places a stigma upon the citizen soldiery of the United States who bore the brunt of fighting as shock troops, and creates a centralized military oligarchy with dangerous potentialities for political abuse and the destruction of that freedom which is vital to the existence of the country.

Therefore, be it resolved by the Senate of Alabama (the House concurring) representing the citizens of Alabama and the Alabama citizen soldiery, whose record of efficiency entitles them to the fullest measure of support, opposes the passage of the Chamberlain-Kahn compulsory military service bill, and urges the Alabama delegation in Congress to secure the defeat of this measure or any other military measure which has for its object the destruction of the citizen soldiery of America, and the setting up of a centralized autocratic military power.

Be it further resolved, That the Secretary of the Senate and the Clerk of the House be directed to transmit copies of this resolution to each senator and member of the House of Representatives from Alabama in the Congress of the United States.

Was taken up and on motion of Mr. Prestwood, the rules were suspended and said resolution was put upon its immediate passage, being adopted and ordered sent forthwith to the House without engrossment.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has concurred in and adopted:

S. J. R. 118. Relative to the adjournment of the two houses until Wednesday, August 20th, at 2 o'clock P. M.

And returns same herewith to the Senate.

Fred H. Gormley,
Clerk.

BILLS ON THIRD READING RESUMED.

The bill:

H. 405. To further provide for the compensation of the probate judge of Lowndes county, Alabama, and to increase the amount now allowed to be earned, under the provisions of the law authorizing the payment of ex-officio fees.

Was read a third time at length and passed.

Yeas, 21; nays, 0.

Yeas:

Messrs:

Baker	Espy	Moore	Rogers (Sumter)
Beale	Griffith	Morris	Smith (Coosa)
Carlton	Gunter	McDowell	Smith (Lawrence)
Carmichael	Harper	Nance	Tally
Cowan	Miller	Prestwood	West
Craft			

—21

Nays:—None.

The bill:

H. 423. To repeal the charter of the town of Thompson, sometimes called Thompson Station, in the county of Bullock.

Was read a third time at length and passed.

Yeas, 19; nays, 0.

Yeas:

Messrs:

Baker	Craft	Miller	Rogers (Sumter)
Beale	Espy	Moore	Smith (Coosa)
Carlton	Griffith	Morris	Smith (Lawrence)
Carmichael	Gunter	McDowell	Tally
Cowan	Harper	Nance	

—19

Nays:—None.

The bill:

H. 482. To further regulate the public school system of the county of Mobile by establishing a board of school commissioners for Mobile county, of five members, in the place and stead of the board of school commissioners of Mobile county, as at present constituted; which new board of five members shall have the same title and exercise the same rights, powers, duties and privileges as are now had and exercised by the board of school commissioners of Mobile county as at present constituted; and, to that end, to abolish the board of school commissioners of Mobile county as now constituted.

Was read a third time at length and passed.

Yeas, 19; nays, 0.

Yeas:

Messrs:

Baker	Craft	Moore	Smith (Coosa)
Beale	Espy	Morris	Smith (Lawrence)
Carlton	Griffith	McDowell	Tally
Carmichael	Harper	Nance	West
Cowan	Miller	Rogers (Sumter)	

—19

Nays:—None.

The bill:

S. 465. To amend section 4 of an act entitled, "An act for better construction, repairing, working and maintaining on the public roads and bridges in Sumter county," approved September 22nd, 1915.

Was read a third time at length and passed.

Yeas, 21; nays, 0.

Yeas:

Messrs:

Baker	Craft	Miller	Rogers (Sumter)
Beale	Ellis	Moore	Smith (Coosa)
Briscoe	Espy	Morris	Smith (Lawrence)
Carlton	Griffith	McDowell	Tally
Carmichael	Harper	Nance	West
Cowan			

—21

Nays:—None.

The bill:

S. 439. To provide for the appointment and compensation of bailiffs of courts in all counties of the State of Alabama which have a population of two hundred thousand or more according to the last or any subsequent Federal census and to fix the compensation of such bailiffs.

Was taken up and the following amendment offered by the committee: To amend section 1 so as to read as follows:

Section 1. That in all counties of the State of Alabama having a population of two hundred thousand or more, according to the last or any subsequent Federal census, the sheriff shall be and he is hereby authorized to appoint one bailiff for each judge of the circuit court to serve said court. And section 2 so as to read as follows:

Section 2. Each such bailiff shall receive such annual salary as may be fixed by the order of the court of county commissioners, board of revenue, or other governing body of the county, not to exceed eighteen hundred dollars (\$1,800.00) per annum, and

shall be paid in monthly installments out of the county treasury on the warrant of the judge whose court such bailiff serves.

Was adopted.

Yeas, 21; nays, 0.

Yeas:

Messrs:

Baker	Craft	Miller	Rogers (Sumter)
Beale	Espy	Moore	Smith (Coosa)
Briscoe	Evins	Morris	Smith (Lawrence)
Carlton	Griffith	Nance	Tally
Carmichael	Harper	Prestwood	West
Cowan			

—21

Nays:—None.

And said bill as thus amended was read a third time at length and passed.

Yeas, 22, nays, 0.

Yeas:

Messrs:

Baker	Craft	Miller	Rogers (Sumter)
Beale	Espy	Moore	Smith (Coosa)
Briscoe	Evins	Morris	Smith (Lawrence)
Carlton	Griffith	Nance	Tally
Carmichael	Gunter	Prestwood	West
Cowan	Harper		

—22

Nays:—None.

The resolution:

S. J. R. 89. Memorializing Congress of the United States to pass laws for the deportation of any undesirable aliens, and to further restrict the coming into the ports of the United States of undesirable people from foreign countries.

Was read and adopted.

BILLS ON THIRD READING RESUMED.

H. 456. To amend section 1 of an act to fix and regulate the fees of witnesses in criminal cases in the county court and circuit court of Marion county and before the grand jury of said county, and to provide for the payment thereof. Approved August 21, 1915. Relates to the fees of witnesses.

Was read a third time at length and passed.

Yeas, 19; nays, 0.

Yeas:

Messrs:

Baker	Briscoe	Carmichael	Craft
Beale	Carlton	Cowan	Ellis

Espy	Miller	Nance	Tally	
Evins	Moore	Smith (Coosa)	West	
Harper	Morris	Smith (Lawrence)		—19

Nays:—None.

The bill:

S. 425. To prohibit the levying or collecting of any license or privilege tax or fees on any wagon used exclusively in connection with the cultivation of farms, or the marketing of the products of the farm or forest occupied as owner or tenant by the owner of such wagon; in counties of not less than 30,815 nor more than 30,915 population according to the Federal census of 1910.

Was taken up and Mr. Baker offered the following amendment:

"Amend the caption of the bill by adding thereto the following: "or according to any subsequent Federal census."

Amend section 1 of the bill by adding at the end thereof the word:

"or according to any subject Federal census," which was adopted.

Yeas, 19; nays, 0.

Yeas:

Messrs:

Baker	Craft	Moore	Smith (Coosa)	
Beale	Espy	Morris	Smith (Lawrence)	
Butler	Evins	Nance	Tally	
Carlton	Harper	Prestwood	West	
Carmichael	Miller	Rogers (Sumter)		—19

Nays:—None.

And the bill as thus amended was read a third time at length and passed.

Yeas, 21; nays, 1.

Yeas:

Messrs:

Baker	Craft	Miller	Rogers (Sumter)	
Beale	Espy	Moore	Smith (Coosa)	
Brown	Evins	Morris	Smith (Lawrence)	
Butler	Griffith	Nance	Tally	
Carlton	Harper	Prestwood	West	
Carmichael				—21

Nays:

Mr. Briscoe—1.

The bill:

S. 262. To provide for the payment of expenses for automobiles for the use of sheriffs in the discharge of their duties

as such, in counties of not less than 30,815, nor more than 30,915 population according to the Federal census of 1910.

Was taken up and Mr. Baker offered the following amendment:

Amend the caption of the bill by adding thereto the word: "or according to any subsequent Federal census."

Amend section 1 of the bill by inserting in line 4 of said section after the figures "1910" the words "or according to any subsequent Federal census," and said amendment was adopted.

Yeas, 21; nays, 0.

Yeas:

Messrs:

Baker	Carmichael	Miller	Rogers (Sumter)
Beale	Craft	Moore	Smith (Coosa)
Briscoe	Ellis	Morris	Smith (Lawrence)
Brown	Griffith	Nance	Tally
Butler	Harper	Prestwood	West
Carlton			

—21

Nays:—None.

And said bill as thus amended was read a third time at length and passed.

Yeas, 19; nays, 0.

Yeas:

Messrs:

Baker	Carmichael	Harper	Prestwood
Beale	Craft	Miller	Smith (Coosa)
Briscoe	Ellis	Moore	Smith (Lawrence)
Brown	Evins	Morris	West
Butler	Griffith	Nance	

—19

Nays:—None.

The bill:

S. 351. To require the court of county commissioners or body of similar jurisdiction of Pike county, Alabama, to allow to the clerk of the circuit court of said county, three dollars per day during term times, as a preferred claim against the general fund of said county, for the purpose of paying an assistant employed by him to assist him in the performance of his duties as such clerk during the term times of circuit courts held in said county.

Was read a third time at length and passed.

Yeas, 24; nays, 0.

Yeas:

Messrs:

Baker	Brown	Carmichael	Espy
Beale	Butler	Craft	Evins
Briscoe	Carlton	Ellis	Griffith

Harper	Morris	Prestwood	Smith (Lawrence)
Miller	Nance	Rogers (Sumter)	Tally
Moore	Phillips	Smith (Coosa)	West

—24

Nays:—None.

The bill:

S. 459. To alter or rearrange the boundary lines of the city of Fairfield, Alabama.

Was read a third time at length and passed.

Yeas, 23; nays, 0.

Yeas:

Messrs:

Baker	Carmichael	Huddleston	Rogers (Sumter)
Beale	Ellis	Miller	Smith (Coosa)
Briscoe	Espy	Moore	Smith (Lawrence)
Brown	Evins	Morris	Tally
Butler	Griffith	Nance	West
Carlton	Harper	Prestwood	

—23

Nays:—None.

The bill:

S. 241. To prohibit involuntary servitude or forcible detention in public or private hospitals, reformatories, houses of detention, convents, asylums, sectarian seminaries, schools or institutions, and providing penalties therefor.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 22; nays, 0.

Yeas:

Messrs:

Baker	Craft	Miller	Prestwood
Beale	Ellis	Moore	Smith (Coosa)
Briscoe	Espy	Morris	Smith (Lawrence)
Brown	Evins	Nance	Tally
Butler	Griffith	Phillips	West
Carlton	Harper		

—22

Nays:—None.

The bill:

H. 55. To authorize and empower all cities of the State of Alabama having more than 100,000 population according to the last or any subsequent Federal census to condemn or acquire by purchase or otherwise a right of way, easement or other interest in land for the purpose of connecting private property with the sanitary or storm sewerage system of any such city, and to assess the cost of the acquisition of such right of way, easement or other

interest in such land, and the cost of constructing such connection against the property benefited thereby.

Was read a third time at length and passed.

Yeas, 22; nays, 0.

Yeas:

Messrs:

Baker	Craft	Moore	Smith (Coosa)
Beale	Ellis	Morris	Smith (Lawrence)
Briscoe	Espy	Nance	Tally
Brown	Griffith	Phillips	West
Butler	Harper	Prestwood	
Carlton	Miller	Rogers (Sumter)	

—23

Nays:—None.

ADJOURNMENT.

On motion of Mr. Phillips and in pursuant to Senate joint resolution heretofore adopted the Senate adjourned at 3:50 P. M., until Wednesday, August 20th, 1919, at 2 P. M.

THIRTY-SEVENTH DAY.

Wednesday, August 20th, 1919.

The Senate met pursuant to adjournment, Lieutenant Governor Miller presiding.

PRAYER.

By Rev. Dr. Johnson, of Montgomery.

ROLL CALL.

Present:

Mr. President and

Messrs:

Acker	Cowan	Huddleston	Phillips
Baker	Craft	Kelly	Prestwood
Beale	Ellis	Leith	Rogers (Sumter)
Bedsole	Espy	Miller	Sims
Briscoe	Evins	Moore	Smith (Coosa)
Brown	Griffith	Morris	Smith (Lawrence)
Butler	Gunter	McDowell	Tally
Carlton	Harper	Nance	West
Carmichael			

—33

JOURNAL.

On motion of Mr. Smith of Coosa, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

INTRODUCTION OF BILLS.

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Griffith:

S. 528. To authorize the governor to provide a suitable site for the establishment of a sanatorium for the use of the Alabama Sanatorium for Consumption and Tuberculosis conditioned upon the sale of the present site for such use located in Cullman county, Alabama, and consisting of about four hundred and sixty (460) acres heretofore acquired under the authority of section 777 of the Political Code of Alabama; also to authorize the governor to sell and convey the said land heretofore acquired for such site for each sanatorium; provided that the sanatorium to be so acquired may be located and established, with the governor's approval, on any lands suitable for such purpose, now owned by the State, and if so located and established on such lands now owned by the State, then the proceeds of such sale to be covered into the general funds of the treasury.

Public Health.

By Mr. Acker:

S. 529. To propose and submit to the qualified electors of the State of Alabama at an election to be held on the first Monday after the expiration of three months from and after the final adjournment of the present Legislature, at which this amendment is proposed, an amendment to the Constitution of Alabama whereby the city of Anniston may levy and collect a rate of taxation on the property situated therein not exceeding in the aggregate in any one year of one and one-half per centum of the value of such property as assessed in the manner provided by the Constitution and the statutes now or hereafter enacted pursuant to the Constitution; provided, however, that the total rate of taxation levied by such municipal corporations shall not in any one year exceed one per centum per annum, unless the rate in excess thereof has been submitted to and authorized by an election by the qualified electors of such municipal corporation at elections to be held from time to time for such purposes and to provide for such elections.

Constitution and Constitutional Revision and Amendments.

(The above bill was read at length as required by the Constitution.)

By Mr. Acker:

S. 530. To make an appropriation for the relief of John W. Abercrombie.

Finance and Taxation.

(With notice and proof attached and herewith exhibited as follows:)

NOTICE.

Notice is given that application will be made to the present Legislature of Alabama for the passage of a law for the reimbursement with interest of moneys paid into the State treasury in 1913 on account of defalcations of H. C. Gunnels as chief clerk in the department of education during our terms of office as superintendent of education, the amounts paid being, for John W. Abercrombie, \$2,931.55; for Isaac W. Hill, \$4,353.96.

John W. Abercrombie.
Isaac W. Hill.

State of Alabama, }
Montgomery County. }

Before me, L. L. Mooneyham, a notary public in and for said county and State, personally appeared Brame Hood, publisher of the Montgomery Journal, who being duly sworn deposes and says that, beginning on the 5th day of July, 1919, the notice hereto attached was published, without cost to the State, once a week for four consecutive weeks in a newspaper published at Montgomery, Alabama.

Brame Hood,
Publisher the Journal.
Subscribed and sworn to before me, this 16th day of August, 1919.
L. L. Mooneyham,
Notary Public.

Also:

S. 531. To prescribe the various classes of stock that may be issued by corporations, to declare the rights, powers and limitations of the holders of the same, and to prescribe the methods of authorizing the issue thereof, and to provide a remedy against any unauthorized or illegal issue thereof heretofore or hereafter made, and a statute of limitations barring that or any other remedy against the same.

Judiciary.

By Mr. Briscoe:

S. 532. To authorize the consolidation of contiguous territory in two or more adjoining counties into one school district; to provide for the management and control of the school or schools of such consolidated district; to provide for the levy and expenditure of funds and for the issuance of interest-bearing warrants for the erection, repair or equipment of school buildings in such consolidated district; to provide for the maintenance and support of the school or schools in such consolidated district, and to ratify and confirm local tax elections held in the territory consolidated prior to such consolidation.

Education.

By Mr. West:

S. 533. To authorize and require boards of revenue or courts of county commissioners in all counties of this State having a

population of more than 150,000, according to the last or any succeeding Federal census to provide each circuit judge with an adequate number of law books.

Local Legislation.

Also:

S. 534. To prohibit the sale, delivery or disposition of benzine, distillature, or other volatile product of petroleum intended for use and consumption in those counties of the State of Alabama, having an assessed valuation of one hundred million dollars worth of taxable property, without the official brand, stamp, label or stencil of the oil inspector of such counties or his assistants being affixed or attached to the barrel, package, cask or vessel in which the articles sold, delivered, or disposed of, in contained at the time of disposition or delivery; and to provide for an inspector and his assistants, and to provide for and regulate the payment of fees to such inspector or his assistants for affixing any official brand stamp, label or stencil, and to regulate the charges and fees to be paid therefor.

Mining and Manufacturing.

By Mr. Kelly:

S. 535. To provide for the construction, maintenance and control of the public roads and bridges of all counties in the State of Alabama having a population of not less than 27,155, and not more than 27,200, by the last or any succeeding Federal census; to further define the duties of the courts of county commissioners, or like governing bodies, of all such counties; to provide for the levy and collection of a per capita road tax in commutation of road duty; and to regulate the performance of road duty in such counties by the citizens thereof.

Public Roads and Highways.

Also:

S. 536. To provide for the compensation of deputy solicitors in all counties of the State, having a population of more than 27,100 and less than 27,200, according to the last Federal census, and to provide the manner in which the same shall be paid.

Finance and Taxation.

Also:

S. 537. To create the office of county solicitor in all counties having a population of not less than eighteen thousand one hundred and twenty-five and not more than eighteen thousand nine hundred according to the Federal census of 1910, and to provide for the election of such solicitor by the qualified electors of such counties and prescribe his qualifications and duties and fix his compensation.

Judiciary.

By Mr. Morris:

S. 538. To prohibit the levy or collection, in counties of not less than twenty-one thousand (21,000) nor more than twenty-two thousand (22,000) population, according to the Federal census of 1910, or of any subsequent census, of any license or privilege tax or fee on any wagon used exclusively in connection with the cultivation of farms or the marketing of the products of the farm or forest occupied as owner or tenant by the owner of such wagon.

Finance and Taxation.

By Mr. Cowan:

S. 539. To amend an act entitled "An act to define dentistry; to provide for the regulation of the practice thereof; to provide for the examination of applicants to practice dentistry in Alabama; to provide for the issuing of license certificates and the registration and display thereof; to provide for reports by probate judges of said registrations; to provide for the revoking or refusing to issue said certificates; to provide a board of dental examiners of Alabama, provide for their election and prescribe their duties, powers, qualifications, terms of office and compensation; to provide for the disposition of fees collected by said board; to provide fees and funds for enforcing said act; to provide for enforcing said act; to allow the board of dental examiners of Alabama to enter into reciprocity agreements with like boards of other states; to provide penalties and punishment for the violation of the provisions of said act; to provide for any unconstitutionality of said act, and to repeal all general and local laws in conflict with said act," and approved August 31st, 1915, by amending sections 1 (A), 17 and 18 thereof, and by adding thereto an additional section.

Public Health.

By Mr. Carlton:

S. 540. To authorize and empower the county of Marengo to issue its bonds, bearing interest at the rate of six per centum per annum for the purpose of refunding its indebtedness, existing at the date of the approval of this act; to sell the same at not less than their face value; to regulate their issuance and sale, and to repeal all laws in conflict with this act, in so far as the said county is concerned.

Revision of Laws.

(With notice and proof attached and herewith exhibited as follows:)

NOTICE.

A bill will be introduced in the Legislature of Alabama when it reconvenes in July, 1919, to authorize the county of Marengo to issue bonds of

said county for the purpose of refunding the indebtedness of said county, existing at the date of the approval of the act, to bear interest at the rate of six per centum per annum, and providing that the same shall not be sold or otherwise disposed of for less than their face value.

The State of Alabama, }
Marengo County. }

Before me, Geo. O. Miller, a notary public in and for said county and State, personally appeared R. E. Sutton, who being by me first duly sworn deposes and says as follows:

First, that he is now and has been for more than six months last past the publisher of the Democrat-Reporter, a newspaper published at Linden, in Marengo county, Alabama.

Second, that the notice hereto attached, and which is hereby referred to and made a part of this affidavit, was published in said newspaper in its weekly issues of June 26, 1919; July 3, 1919; July 10, 1919, and July 17, 1919.

R. E. Sutton.

Sworn to and subscribed before me this the 16 day of August, 1919.

Geo. O. Miller,
Notary Public.

By Mr. Carlton:

S. 541. To divide the county of Marengo into four commissioners court districts; to provide for the election of one qualified elector residing in said district as county commissioner from said district by the qualified electors of the entire county of Marengo.

Revision of Laws.

(With notice and proof attached and herewith exhibited as follows:)

NOTICE.

A bill will be introduced in the Legislature of Alabama, when it reconvenes in July, 1919, to divide the county of Marengo into four county commissioners districts to be composed of election precincts, and to require one member of the commissioners court of said county to be a qualified elector of said district from which he is elected at the time of his election and during his continuance in office, and to require each of the said commissioners to be elected by the vote of the entire county at the next general election for county commissioners and thereafter.

The State of Alabama, }
Marengo County. }

Before me, Geo. O. Miller, a notary public in and for said county and State, personally appeared R. E. Sutton, who being by me first duly sworn, deposes and says as follows:

First: That he is now and has been for more than six months last past, the publisher of the Democrat-Reporter, a newspaper published at Linden, in Marengo county, Alabama.

Second: That the notice hereto attached and which is hereby referred to and made a part of this affidavit was published in said newspaper in its weekly issues of June 26, 1919; July 3, 1919; July 10, 1919 and July 17, 1919.

R. E. Sutton.

Sworn to and subscribed before me this the 16 day of August, 1919.
Geo. O. Miller,
Notary Public.

By Mr. Gunter:

S. 542. To authorize and require the construction of a public road or highway from the Lower Wetumpka Road to Old Fort Toulouse (later Fort Jackson) on the Coosa river, and to provide necessary funds therefor.

Public Roads and Highways.

Also:

S. 543. To authorize and empower boards of revenue in counties having a population of not less than 82,000 and not more than 100,000, according to the latest Federal census, to expend county funds not exceeding \$2,500 per annum for county purposes not otherwise provided for by law.

Finance and Taxation.

Also:

S. 544. To provide for the payment to judges of probate of all fees, allowances and commissions fixed by law for the collection of licenses and taxes in cases where the license or tax has been paid to some public officer other than the judge of probate within one year next preceding the adoption of this act, or is paid at any time thereafter, whether collected by suit or otherwise.

Finance and Taxation.

Also:

S. 545. To confer upon boards of revenue in counties of this State having a population of not less than 82,000 and not more than 100,000, according to the latest Federal census, the right to condemn lands or interests therein for the purpose of obtaining gravel or other road building material for the building and maintenance of public roads of the county, and to prescribe the procedure for same.

Judiciary.

By Mr. Craft:

S. 546. For the creation, organization and maintenance of stump and land clearing districts in the State of Alabama for the purpose of clearing and stumping land or lands, not now fitted for agricultural purposes, for sanitary or agricultural purposes, or when the same may be conducive to the public health, convenience or welfare, or of public utility or benefit, by clearing or stumping or otherwise; to define the privileges, powers, duties and liabilities of such stump and land clearing districts, the officers and agents thereof; to provide for the levying of taxes

upon the property in said clearing district or districts authorizing the issuance of bonds by such stump and land clearing districts; and giving to said stump and land clearing districts full power to acquire such machinery, tools, lands and property as may be necessary and proper for its purposes.

Agriculture.

By Mr. Carmichael (by request):

S. 547. To authorize municipal corporations to improve streets and sidewalks and sections of streets and sidewalks, by the construction of electric lighting systems known as "White Ways," and charge the expense thereof to the abutting property owners, provided the cost of such construction shall not be in excess of the increased value of said property charged with such improvement, and provided such lighting system shall not apply to nor include overhead street lighting; and to provide for such municipal corporations to maintain such lighting systems after they have been established, and to provide and pay for the cost of the current and expense of such maintenance thereafter.

Municipalities and Municipal Organizations.

REPORTS OF COMMITTEES.

Mr. Butler, chairman of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Rogers of Sumter:

S. 521. To create the department of examiners of accounts, to prescribe its powers, duties and functions, provide for the appointment of a chief examiner and assistant examiners, to regulate the duties and compensation of such officials, and to provide clerical help for said department.

Mr. Carmichael, chairman of the Standing Committee on Education, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Brindley:

H. 148. To provide for the election of the county superintendent of education of Morgan county, Alabama, by a direct vote of all the qualified electors of said county.

By Mr. Orr:

H. 702. To provide for the town of Albertville and school district known as the Albertville school district, to manage and

control the affairs of its public schools in said school district; to provide for the election of a board of education by the town council of the town of Albertville, Alabama; to authorize said board of education to mortgage or pledge the property of said public school for the purpose of procuring additional funds to build or erect and equip a suitable public school building in said town of Albertville, and to authorize payment and satisfaction of said mortgage out of funds hereafter derived from the levy of a special school tax in said school district.

Mr. Brown, chairman of the Standing Committee on Municipalities and Municipal Organizations, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Craft:

S. 496. To extend the term of office in all cities, having commission form of government, of the commissioner to be elected in the year 1919, having a population of not less than 50,500, nor more than 100,000, according to the last Federal census, and to provide for an election at the end of the term as extended.

Mr. Phillips, chairman of the Standing Committee on Privileges and Elections, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Griffin:

H. 537. To further prescribe times of election and terms of office of the county commissioners of Henry county, Alabama.

Mr. Moore, chairman of the Standing Committee on Fish, Game and Forestry, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Holmes of Baldwin (with amendment):

H. 527. For the protection of salt water shrimp, to provide the manner in which said crustaceans may be caught, taken and marketed, to fix the season during which they may be caught, to authorize the issuance of licenses to persons seining for salt water shrimp, to provide a tax on all salt water shrimp taken in the waters within the State of Alabama, and to provide penalties for the violation of the provisions of this act.

By Mr. Holmes of Baldwin (with amendment) :

H. 687. To conserve and save from depletion the public oyster reefs of Alabama and to further regulate the taking of oysters from the public reefs of the State, and for the protection of and extension of such reefs, and the development of the oyster industry, to declare such oysters the property of the State and to prescribe the condition under which such title may be divested and such oysters become articles of commerce, to provide for the payment of a license and tax by those catching, selling or transporting the same, the rules of evidence on the trials of those violating the provisions of this act, who may try such cases, provide penalties for the violation of this act, and that all expenses incurred in carrying the provisions of same into effect shall be paid out of the oyster fund.

By Mr. Faulk :

H. 489. To make it unlawful for any person to take or catch fish in any of the waters of this State, or the tributaries of such waters, emptying into Choctawhatchee Bay by the use of any seine, hoop-net, trammel-net, or substitute therefor, except fish-baskets used only for the purpose of taking or catching cat fish, and to provide penalties for the violations of the provisions of this act.

Mr. West, chairman of the Standing Committee on Local Legislation, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit :

By Mr. Tally :

S. 463. To fix the salary of the judge of the county court in all counties having a population of not less than 32,900 and not more than 33,000.

By Mr. Bedsole :

S. 479. To regulate and fix the compensation of witnesses before the grand jury and in all cases in the county court and circuit court of Clarke county.

By Mr. Briscoe :

S. 516. To repeal an act entitled, "An act to provide a better system of public roads for Chambers county."

By Mr. West :

S. 514. To amend an act to regulate inferior courts in cities having more than 35,000 population, according to the last or any subsequent Federal census, to prescribe the jurisdiction of such courts, and provide for the number and compensation of the judges for such courts and to provide for the appointment and

compensation of the clerks and assistant clerks thereof, and to abolish the office of justice of the peace in such cities," the said act being approved September 25, 1915.

By Mr. Craft:

S. 497. To provide for the election of county road engineers in counties having a population of not less than eighty thousand, nor more than eighty-two thousand, according to the Federal census of 1910, and to fix their duties and compensation.

By Mr. West:

S. 475. To regulate and define the powers and jurisdiction of constables in all counties in the State of Alabama having a population of 200,000 or more, according to the last or any future census.

By Mr. Holmes of Baldwin:

H. 723. To make the clerk of the circuit court of Baldwin county, ex-officio clerk of the county court, and fixing his fees for such services.

By Mr. Bracken:

H. 455. To regulate the trials of misdemeanors in Lawrence county.

By Mr. Baker:

H. 637. To regulate the registration and payment of claims against the fine and forfeiture fund of DeKalb county and to provide compensation therefor.

By Mr. Stoddard:

H. 694. To repeal in so far as it relates to Crenshaw county an act entitled, "An act to require all fees collected by sections 6655 and 6656 of the Code, in the county court to be paid into the county treasury to provide a fund out of which the judge of the county court shall be paid, and to fix the amount of such salaries." Approved Sept. 18, 1915.

By Mr. Stoddard:

H. 696. To fix the pay of grand jurors and petit jurors serving in the circuit court of Crenshaw county, To prescribe the manner of payment and to prescribe the duties of the circuit clerk and county treasurer of Crenshaw county under this act.

By Mr. Smith:

H. 698. To amend section one of an act approved December 9th, 1896, and entitled, "An act to amend the charter of the town of Eutaw, in Greene county, in the State of Alabama, and all acts amendatory thereto."

By Mr. Parker:

H. 534. To abolish the county court of Coosa county, and the offices pertaining thereto.

By Mr. Salter:

H. 533. To fix the time of holding the county court in Conecuh county, Alabama.

By Mr. Ingram:

H. 594. To repeal an act to provide for the better construction repairing working and maintaining of public roads and bridges in Clay county, Alabama, approved March 29th, 1911.

By Mr. Stoddard:

H. 636. To repeal an act entitled, "An act to provide for the better working of the public roads of Crenshaw county, Alabama, approved March 4, 1903.

By Mr. Longshore:

H. 575. To require all the fees collected under and by virtue of sections 6655 and 6656 of the Code of Alabama, in the county court of Shelby county, Alabama, to be paid into the county treasury of Shelby county, Alabama; to provide a fund out of which the salary of the judge of the county court of Shelby county, Alabama, shall be paid; to fix the amount of such salary, and to provide for the payment of said salary by warrants of said judge drawn on the treasury of said county, and making said warrants a preferred claim against the treasury of said county.

By Mr. Griffin:

H. 568. To require all fines and forfeitures in criminal cases in Henry county, Alabama, to be paid in money and to provide for the collection and disposition of said fines and forfeitures.

By Mr. Benners:

H. 449. To vacate the dedication of all streets, avenues and alleys through, over, on or across the following described property situated in the city of Birmingham, Jefferson county, Alabama, to-wit: That tract of land bounded on the north by Avenue "B," or Second avenue, south; on the east by Ninth street and the right-of-way of the Louisville & Nashville Railroad Company; on the south by the right-of-way of the Louisville & Nashville Railroad Company and Avenue "D" or Fourth avenue, south, on the west by seventh street.

By Mr. Stoddard:

H. 729. To make better provisions for the payment of the fees of State witnesses in criminal cases in the circuit court and county court and before the grand jury of Crenshaw county, to make appropriations therefor and to fix the amount of such fees and to prescribe the duties of the county treasurer under this act.

By Mr. Stoddard:

H. 695. To ratify and make legal certain claims and script registered against the fine and forfeiture fund of Crenshaw

county and to authorize and empower the treasurer of the county to pay the same.

Mr. Acker, chairman of the Standing Committee on Rules, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Carmichael:

S. 490. To close and abandon certain described portions of certain streets, avenues, alleys, etc., in the city of Sheffield, county of Colbert and State of Alabama, and certain wharves, docks, landing places and other public places within the said city of Sheffield, county of Colbert and the State of Alabama.

Mr. Acker, chairman of the Standing Committee on Judiciary, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Briscoe:

S. 474. To designate the register in chancery of all counties having a population of not less than 36,000 and not more than 37,000, as acting treasury of their respective county, where the commissioners court, county board of revenue or like governing body, fails, neglects or refuses to designate any bank in said county as a repository of county funds as now provided by law; to fix the salary to be paid such register in chancery for his services as acting county treasurer and to provide for the payment of the same.

By Mr. Craft:

S. 523. To authorize divorce for abandonment whenever a party, who has deserted his or her consort for more than ten months, fails to return to the performance of his or her marital obligations within sixty days after notice.

By Mr. Evins:

S. 401. To provide the method of conveying real estate, or any interest therein, which may be sold under any mortgage or deed of trust, or under any execution, or under the decree of any court.

By Mr. Prestwood:

S. 444. To suppress profiteering by requiring articles and commodities of merchandise and things sold or offered for sale to be so marked, or the cost and selling price thereof displayed or published that the purchaser, or prospective purchaser may ascertain the amount of profit demanded by the seller in the sale

thereof and prescribing a penalty for failing to mark, falsely marking, falsely publishing, or falsely representing the cost of such articles, commodities, or things.

By Mr. West:

S. 411. To establish a jury commission in all counties of this State which have 200,000 or more population, according to the last Federal census, and in all counties that have 200,000 or more population according to any Federal census which may be hereafter taken; to prescribe the qualifications of jurors and regulate and provide for the selecting, drawing and summoning of jurors; to prescribe their qualifications and provide for the appointment and compensation of clerks for such jury commissions; to provide a method by which the names of citizens subject to jury duty may be obtained; and to require the publication of the jury roll; to regulate the empanelling of grand and petit juries in all courts in such counties and to prescribe penalties for the violation of this act.

By Mr. Gunter:

S. 422. To create and establish the office of general guardian ad litem in all counties of over eighty-two thousand and less than one hundred thousand of population according to the last preceding Federal census or according to any subsequent Federal census; to prescribe his duties and qualifications; to provide for his appointment and to fix his compensation and term of office; to provide for the appointment of a guardian ad litem in cases where the general guardian ad litem is disqualified and where the interests of the infants interested in a case are antagonistic or conflicting; and to provide penalty for wrongful appointment of such guardian ad litem.

By Mr. Prestwood:

S. 446. To provide that mechanics' and material men's lien and the right of enforcement thereof in Covington county, Alabama, shall attach and apply to property of a married woman where the service or labor is performed or the materials furnished with her knowledge and consent under a contract with the husband, and upon property owned jointly by husband and wife when the service or labor is performed or materials furnished under a contract with either or both, with the knowledge and consent of the other; to provide that no homestead right shall defeat such lien or the enforcement thereof; and to prescribe what shall be deemed to be consent within the meaning of this act.

By Mr. Gunter:

S. 450. To authorize the employment in counties of more than eighty-two thousand and less than one hundred thousand

according to the latest Federal census, of persons to investigate and report violations of law, to prescribe the mode of their employment, their term of office, their duties, and the amount and method of payment for their services.

By Mr. Gunter:

S. 451. To fix the compensation of members of the boards of revenue in this State in counties which now have, or which may hereafter have a population of eighty-two thousand people and not exceeding two hundred thousand people, according to the last Federal census, or any such census which may hereafter be taken, and to provide for the payment of such compensation.

By Mr. Evins:

S. 452. To amend section 2686 of the Code of Alabama of 1907.

By Mr. West:

S. 506. To authorize the compiling of any or all fiduciary fees, and witness fees, in the hands of registers in chancery, probate judges and clerks of courts of record, in all counties of the State of Alabama which have a population of more than two hundred thousand, or which may hereafter have a population of more than two hundred thousand, which fees have been in the hands of any of such officials, or have been paid into their hands by any former official of whom they are the legal successors, and are unclaimed for a period of three years, and to provide for the payment of same by such officers into the treasury of their respective counties.

By Mr. West:

S. 503. To authorize and empower the solicitor, in all circuits in the State of Alabama, having five or more circuit judges, to employ any and all shorthand reporters necessary to properly report the proceedings before the grand jury, and transcribe the same, and stenographer, or stenographers, for the office work of such solicitor; and any and all assistants necessary to properly administer justice in such circuits; and to fix their compensation and the manner of payment of such compensation and salaries; and to incur any and all expense necessary to properly administer justice in such circuits.

Mr. Acker, chairman of the Standing Committee on Judiciary, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with an adverse report, and it was read a second time and placed on the adverse calendar, to-wit:

By Mr. West:

S. 478. To amend section 7516 of the Code of 1907.

REPORT FROM COMMITTEE ON ENGROSSED BILLS.

Mr. President:

Your Standing Committee on Engrossed Bills beg leave to report that said committee, in session, have examined and compared the following engrossed bills, with originals, and find same correctly engrossed, to-wit:

S. J. R. 89. Memorializing Congress of the United States to pass laws for the deportation of any undesirable aliens, and to further restrict the coming into the ports of the United States of undesirable people from foreign countries.

S. 262. To provide for the payment of expenses for automobiles for the use of sheriffs in the discharge of their duties as such, in counties of not less than 30,815, nor more than 30,915 population according to the Federal census of 1910, or according to any subsequent Federal census.

S. 351. To require the court of county commissioners or body of similar jurisdiction of Pike county, Alabama, to allow to the clerk of the circuit court of said county, three dollars per day during term times, as a preferred claim against the general fund of said county, for the purpose of paying an assistant employed by him to assist him in the performance of his duties as such clerk during the term times of circuit courts held in said county.

S. 423. To amend an act entitled, "An act to create the office of assistant clerk of the inferior criminal court of Mobile county, prescribe his or her duties, to fix his or her salary and provide for the method of selection for said office," approved February 15th, 1919.

S. 425. To prohibit the levying or collecting of any license or privilege tax or fee on any wagon used exclusively in connection with the cultivation of farms, or the marketing of the products of the farm or forest occupied as owner or tenant by the owner of such wagon; in counties of not less than 30,815 nor more than 30,915 population according to the Federal census of 1910, or according to any subsequent Federal census.

S. 438. To authorize and direct the board of revenue of Jefferson county, Alabama, to cause to be paid out of the county treasurer of Jefferson county, Alabama, stenographic fees incurred by the recess committee having under consideration local legislation for Jefferson county, Alabama.

S. 439. To provide for the appointment and compensation of bailiffs of courts in all counties of the State of Alabama which have a population of two hundred thousand or more according to the last or any subsequent Federal census and to fix the compensation of such bailiffs.

S. 458. To alter or re-arrange the boundary lines of the city of Birmingham, Alabama, so as to exclude from the city of Birmingham, Alabama, so as to exclude from the city of Birmingham certain territory now included in the corporate limits of said city of Birmingham.

S. 459. To alter or rearrange the boundary lines of the city of Fairfield, Alabama.

S. 465. To amend section 4 of an act entitled, "An act for better construction, repairing, working and maintaining of the public roads and bridges in Sumter county," approved September 22nd, 1915.

R. B. Evins,
Chairman.

MESSAGE FROM THE HOUSE.

Mr. President:

The Speaker having signed the following House bills, your signature thereto is requested:

H. 469. To provide for the collection by the court of county revenues of Dallas county of a sum of money in lieu of road duty, to fix the amount thereof, and to set such times as the same shall be payable or shall be barred from payment.

Also:

H. 468. To authorize and empower the probate judge of Dallas county to issue interest-bearing certificates or warrants in extension of certificates or warrants heretofore issued by the probate judge of Dallas county under authority of the court of county revenues or other law; to draft proper form of certificates or warrant, and to define the effect of such certificates or warrant.

Also:

H. 467. To authorize the court of county revenues of Dallas county to adopt a budget system in said county and such rules and regulations as may be necessary to carry same into effect, and for the proper government of said county, and confirming the action of said court in putting into effect a budget system for the years of 1918 and 1919.

Also:

H. 457. To provide a better system of road building and construction for the county of Marion.

Also:

H. 382. To repeal an act entitled, "An act to provide for a better system of public roads for the county of DeKalb in this State," approved September 22, 1915.

Also:

H. 304. To abolish the office of the county treasurer of Perry county, and to provide for the court of county commissioners of Perry county, to contract annually with one or more banks in the county of Perry to keep and be custodian of the county funds, requiring bank or banks to give bond as such custodian; said bank or banks to receive and disburse all county funds or warrants allowed by court of county commissioners on certificates from circuit clerk or of judge of county court, to require tax collector to pay all county moneys over to such bank or banks taking triplicate receipts therefor, requiring all other collecting or receiving county funds to pay same over to said bank or banks, making it unnecessary to have certificates of redemption to be countersigned, requiring probate judge to safely keep redemption money and pay same over to purchaser on surrender of purchasers certificate.

Also:

H. 55. To authorize and empower all cities of the State of Alabama having more than 100,000 population according to the last or any subsequent Federal census to condemn or acquire by purchase or otherwise a right of way, easement or other interest in land for the purpose of connecting private property with the sanitary or storm sewerage system of any such city, and to assess the cost of the acquisition of such right of way, easement or other interest in such land, and the cost of constructing such connection, against the property benefited thereby.

Also:

H. 389. To amend section two (2) of an act to authorize and require the county treasurer of Greene county, Alabama, to transfer all monies from the fine and forfeiture fund of said county into the general fund of said county, and to pay from said general fund all legal claims against said fine and forfeiture fund. Approved August 16th, 1915.

Also:

H. 405. To further provide for the compensation of the probate judge of Lowndes county, Alabama, and to increase the amount now allowed to be earned, under the provisions of the law authorizing the payment of ex-officio fees.

Also:

H. 423. To repeal the charter of the town of Thompson, sometimes called Thompson Station, in the county of Bullock.

Also:

H. 456. To amend section 1 of an act to fix and regulate the fees of witnesses in criminal cases in the county court and circuit court of Marion county and before the grand jury of

said county, and to provide for the payment thereof. Approved August 21, 1915. Relates to the fees of witnesses.

Also:

H. 466. To amend section 1 of an act entitled an act to amend sections 2 and 20 of an act entitled an act to establish a new charter for the town of Edwardsville, Cleburne county, approved February 18, 1897.

Also:

H. 482. To further regulate the public school system of the county of Mobile by establishing a board of school commissioners for Mobile county, of five members, in the place and stead of the board of school commissioners of Mobile county, as at present constituted; which new board of five members shall have the same title and exercise the same rights, powers, duties and privileges as are now had and exercised by the board of school commissioners of Mobile county as at present constituted; and, to that end, to abolish the board of school commissioners of Mobile county as now constituted.

Also:

H. 507. To provide for the payment of the fees of State's witnesses in criminal cases in Henry county, Alabama.

Fred H. Gormley,
Clerk.

SIGNING OF BILLS.

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the following bills:

H. 469. To provide for the collection by the court of county revenues of Dallas county of a sum of money in lieu of road duty, to fix the amount thereof, and to set such times as the same shall be payable or shall be barred from payment.

H. 468. To authorize and empower the probate judge of Dallas county to issue interest-bearing certificates or warrants in extension of certificates or warrants heretofore issued by the probate judge of Dallas county under authority of the court of county revenues or other law; to draft proper form of certificates or warrant, and to define the effect of such certificates or warrant.

H. 467. To authorize the court of county revenues of Dallas county to adopt a budget system in said county and such rules and regulations as may be necessary to carry same into effect, and for the proper government of said county, and confirming

the action of said court in putting into effect a budget system for the years of 1918 and 1919.

H. 457. To provide a better system of road building and construction for the county of Marion.

H. 382. To repeal an act entitled, "An act to provide for a better system of public roads for the county of DeKalb in this State," approved September 22, 1915.

H. 304. To abolish the office of the county treasurer of Perry county, and to provide for the court of county commissioners of Perry county, to contract annually with one or more banks in the county of Perry to keep and be custodian of the county funds, requiring bank or banks to give bond as such custodian; said bank or banks to receive and disburse all county funds or warrants allowed by court of county commissioners on certificates from circuit court clerk or of judge of county court, to require tax collector to pay all county moneys over to such bank or banks taking triplicate receipts therefor, requiring all other collecting or receiving county funds to pay same over to said bank or banks, making it unnecessary to have certificates of redemption to be countersigned, requiring probate judge to safely keep redemption money and pay same over to purchaser on surrender of purchaser's certificate.

H. 55. To authorize and empower all cities of the State of Alabama having more than 100,000 population according to the last or any subsequent Federal census to condemn or acquire by purchase or otherwise a right of way, easement or other interest in land for the purpose of connecting private property with the sanitary or storm sewerage system of any such city, and to assess the cost of the acquisition of such right of way, easement or other interest in such land, and the cost of constructing such connection, against the property benefited thereby.

H. 389. To amend section two (2) of an act to authorize and require the county treasurer of Greene county, Alabama, to transfer all monies from the fine and forfeiture fund of said county into the general fund of said county, and to pay from said general fund all legal claims against said fine and forfeiture fund. Approved August 16th, 1915.

H. 405. To further provide for the compensation of the probate judge of Lowndes county, Alabama, and to increase the amount now allowed to be earned, under the provisions of the law authorizing the payment of ex-officio fees.

H. 423. To repeal the charter of the town of Thompson, sometimes called Thompson Station, in the county of Bullock.

H. 456. To amend section 1 of an act to fix and regulate the fees of witnesses in criminal cases in the county court and

circuit court of Marion county and before the grand jury of said county, and to provide for the payment thereof. Approved August 21, 1915. Relates to the fees of witnesses.

H. 466. To amend section 1 of an act entitled an act to amend sections 2 and 20 of an act entitled an act to establish a new charter for the town of Edwardsville, Cleburne county, approved February 18, 1897.

H. 482. To further regulate the public school system of the county of ~~Mobile by establishing~~ a board of school commissioners for Mobile county, of five members, in the place and stead of the board of school commissioners of Mobile county, as at present constituted; which new board of five members shall have the same title and exercise the same rights, powers, duties and privileges as are now had and exercised by the board of school commissioners of Mobile county as at present constituted; and to that end, to abolish the board of school commissioners of Mobile county as now constituted.

H. 507. To provide for the payment of the fees of the State's witnesses in criminal cases in Henry county, Alabama.

MESSAGE FROM THE GOVERNOR.

To the Senate:

I am herewith returning Senate bill No. 53 with an amendment suggested. This amendment makes the basis of compensation in death cases subject to the same graduated scale of increase as is provided in the bill in cases of disability. This was the object of those who, representing capital and labor, agreed upon the terms of the bill and it is upon their suggestion that the amendment is presented to you. The amendment is as follows:

"Amend section 14 by adding thereto, sub-section 21:

"21. Wherever in this section there is a provision for fifty (50) per centum such per centum shall be increased five (5) per centum for each totally dependent child of the deceased employe under the age of eighteen years at the time of the death of the employe until such per centum shall reach a maximum a sixty (60) per centum.

Wherever in this section a weekly maximum compensation of twelve (\$12.00) dollars is provided such maximum compensation shall be increased in the following cases to the following amounts:

Thirteen (\$13.00) dollars in case the deceased employe leaves one totally dependent child under the age of eighteen years at the time of the injury to the deceased employe.

Fourteen (\$14.00) dollars in case the deceased employe leaves two totally dependent children under the age of eighteen years at the time of the injury to the deceased employe.

Fifteen (\$15.00) dollars in case the deceased employe leaves three or more totally dependent children under eighteen years of age at the time of the injury to the deceased employe.

The increases in the above per centum and in the maximum amount shall be paid only so long as the child upon which the increase is based remains under the age of eighteen years."

In returning the bill with this amendment may I express the hope that it will be promptly adopted so that this bill, which represents a decided advance in our State in legislation and which has been made possible by a fair and much to be commended spirit of co-operation and agreement between capital and labor, may become the law.

Thos. E. Kilby,
Governor.

GOVERNOR'S MESSAGE.

On motion of Mr. Leith, the Senate concurred in and adopted the amendment proposed by his excellency, the governor, to:

S. 53. Prescribing the liability of an employer to make compensation by way of damages for injuries received by an employee occasioned by an accident arising out of and in the course of employment and providing for the enforcement of same, modifying common law and statutory remedies, in such cases; establishing an alternative elective schedule of compensation, regulating procedure for the determination of liability and compensation thereunder in certain cases, and prescribing penalties for the violation thereof; and providing for attorney's fees and for medical and surgical services.

Said amendment being set out in the foregoing message from the governor:

Yeas, 29; nays, 0.

Yeas:

Messrs:

Acker	Carmichael	Harper	Nance
Baker	Cowan	Huddleston	Prestwood
Beale	Craft	Kelly	Rogers (Sumter)
Bedsole	Ellis	Leith	Sims
Briscoe	Espy	Miller	Smith (Lawrence)
Brown	Griffith	Morris	Tally
Butler	Gunter	McDowell	West
Carlton			

—29

Nays:—None.

Being a majority of the whole number elected to the Senate.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has originated and passed the following joint resolution:

By Mr. Lee of Butler:

H. J. R. 121. Whereas, we believe that 4,000,000 veterans of the world war, 79,490 of whom were Alabamians, are a sufficient nucleus for the organization of any army that may be required by our country for some time to come; and

Whereas, the American people will not tolerate the ruthless abandonment of a policy which created that great civilian army which answered the call, never flinched in the face of the severest fire, and whose record of achievement stands as a guarantee of its ability to handle any situation which may confront it; and,

Whereas, the Chamberlain-Kahn bill recently introduced in Congress, abolishes the citizen soldiery of the United States, which public sentiment demands shall be the backbone of its military strength; and at a time when the people are struggling under the burden of excessive taxation, creates, at enormous expense, the machinery for the establishment in America of that detestable Prussian military system which is abhorrent to the American people and is as objectionable in some respects as that to suppress which the war was fought; and

Whereas, the league of nations and the Chamberlain-Kahn bill can never go hand in hand; and

Whereas, the league of nations is a snare and a delusion, or there is no necessity for the passage of the Chamberlain-Kahn bill; and

Whereas, the general staff of the regular army, failing utterly in its efforts to secure for the regular army necessary recruits by volunteer enlistment, now attempts, in time of peace, under the guise of a universal military service bill, to resort to conscription and to seize, from their homes, the youth of America for service in the regular army; in the Philippine Islands, in Hawaii, in Porto Rico, in the canal zone, and even in Russia, should the military dictator created by the provisions of this vicious bill determine that the emergency demands; and

Whereas, the Chamberlain-Kahn bill destroys and places a stigma upon the citizen soldiery of the United States who bore the brunt of fighting as shock troops, and creates a centralized military oligarchy with dangerous potentialities for political abuse and the destruction of that freedom which is vital to the existence of the country;

Therefore, be it resolved by the House of Alabama (the Senate concurring) representing the citizens of Alabama and the Alabama citizen soldiery, whose record of efficiency entitles them to the fullest measure of support, opposes the passage of the Chamberlain-Kahn compulsory military service bill, and urges the Alabama delegation in Congress to secure the defeat of this measure or any other military measure which has for its object the destruction of the citizen soldiery of America, and the setting up of a centralized autocratic military power.

Be it further resolved, that the Secretary of the Senate and the Clerk of the House be directed to transmit copies of this res-

olution to each Senator and member of the House of Representatives from Alabama in the Congress of the United States.

And sends same herewith to the Senate.

Fred H. Gormley,
Clerk.

HOUSE MESSAGE.

House joint resolution No. 121, set out in the foregoing message from the House, was read and referred to the Standing Committee on Military.

MESSAGE FROM THE HOUSE.

Mr. President:

Under a joint resolution heretofore adopted, raising a joint committee to visit the Alabama Mercy Home for Girls and the State Training School, the Speaker has named Messrs. Hawkins and Truss on part of the House.

Fred H. Gormley,
Clerk.

APPOINTMENT ON COMMITTEE TO VISIT ALABAMA MERCY HOME FOR GIRLS AND THE STATE TRAINING SCHOOL.

Pursuant to joint resolution heretofore adopted creating a joint committee of the House and Senate to visit the Mercy Home for Girls and the State Training School, the President and presiding officer of the Senate, appointed as a member of said committee on part of the Senate, Mr. Brown.

RESOLUTION.

Mr. Acker offered the following joint resolution:

S. J. R. 119. Resolved, That when the two houses adjourn today they shall adjourn to meet again on Friday, August 22, 1919.

Which was, under a suspension of the rules, adopted.

ORDER TO PRINT.

On motion of Mr. Craft, the Secretary was directed to have 200 copies of the bill:

S. 546. For the creation, organization and maintenance of stump and land clearing districts in the State of Alabama for the purpose of clearing and stumping land or lands, nor now fitted for agricultural purposes, for sanitary or agricultural purposes,

or when the same may be conducive to the public health, convenience or welfare or of public utility or benefit, by clearing or stumping or otherwise; to define the privileges, powers, duties and liabilities of such stump and land clearing districts, the officers and agents thereof; to provide for the levying of taxes upon the property in said clearing district or districts authorizing the issuance of bonds by such stump and land clearing districts; and giving to said stump and land clearing districts full power to acquire such machinery, tools, lands and property as may be necessary and proper for its purposes.

Printed for the use of the Senate.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has concurred in and adopted the amendment proposed by the governor to the bill:

By Mr. Craft:

S. 349. To enlarge and further define the duties and fix the compensation of humane officers in counties of this State having a population of not less than 80,000 nor more than 82,000, according to the Federal census of 1910 or any subsequent Federal census.

And returns same herewith to the Senate.

Fred H. Gormley,
Clerk.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has concurred in and adopted the governor's amendment to the bill:

S. 53. An act prescribing the liability of an employer to make compensation by way of damages for injuries due to accident received by an employee arising out of and in the course of employment and providing for the enforcement of same, modifying common law and statutory remedies, in such cases; establishing an alternative elective schedule of compensation, regulating procedure for the determination of liability and compensation thereunder in certain cases, and prescribing penalties for the violation thereof; and providing for attorney's fees and for medical and surgical services.

By a vote of Yeas, 74; nays, 0.

Which was a majority of the whole number elected to the House.

And returns same herewith to the Senate.

Fred H. Gormley,
Clerk.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has concurred in and adopted:

S. J. R. 119. Relative to adjournment until Friday, August 22nd.

And returns same to the Senate.

Fred H. Gormley,
Clerk.

SENATE RESOLVES ITSELF INTO COMMITTEE OF THE WHOLE.

Mr. Carmichael moved that the Senate resolve itself into a Committee of the Whole for the purpose of considering the revenue bill, which motion prevailed, and the Senate, at 3:30 o'clock P. M., resolved itself into a Committee of the Whole Senate for the purpose of considering the revenue bill.

The Senate re-convened at 7 o'clock P. M., Lieutenant Governor Miller, presiding.

ADJOURNMENT.

On motion of Mr. Acker and pursuant to S. J. R. 119, the Senate, at 7 o'clock P. M., adjourned until 10 o'clock Friday morning, August 22, 1919.

THIRTY-EIGHTH DAY.

Friday, August 22nd, 1919.

The Senate met pursuant to adjournment, Lieutenant Governor Miller, presiding.

PRAYER.

By Rev. Dr. Jenkins, Doorkeeper of the Senate.

ROLL CALL.

Present:

Mr. President and

Messrs:

Acker	Cowan
Baker	Craft
Beale	Ellis
Bedsole	Espy
Briscoe	Evins
Brown	Griffith
Butler	Gunter
Carlton	Harper
Carmichael	

Huddleston
Kelly
Leith
Miller
Moore
Morris
McDowell
Phillips

Prestwood
Rogers (Lauderdale)
Rogers (Sumter)
Sims
Smith (Coosa)
Smith (Lawrence)
Tally
West

JOURNAL.

On motion of Mr. Morris, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

INTRODUCTION OF BILLS.

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Rogers of Sumter:

S. 548. To amend section 5869 of the Code of 1907.
Judiciary.

By Mr. Rogers of Sumter:

S. 549. To regulate costs, charges and fees in trials before the county courts and to provide for the collection thereof; to fix the salaries of judges of the county courts and to provide for their payment; to provide for clerks of the county court and to regulate their compensation.
Judiciary.

Also:

S. 550. To repeal sections 6655 and 6656 of the Code of Alabama of 1907.

Also:

S. 551. To repeal an act entitled an act to require all the fees collected by sections 6655 and 6656 of the Code, in the county court to be paid into the county treasury; to provide a fund out of which the salaries of the judges of the county court shall be paid, and to fix the amount of such salaries," approved September 18th, 1915.
Finance and Taxation.

By Mr. Brown:

S. 552. To change the name of the "Mercy Home Industrial School for Girls," located at Birmingham, Alabama, to the Alabama Vocational School for Girls, and to provide appropriations for the support, maintenance and improvement of the same.
Finance and Taxation.

By Mr. Leith:

S. 553. To provide for a clerk to the tax assessor in counties having more than 37,000 population and less than 37,400 population, according to the 1910 Federal census, to prescribe the duties of such clerks and provide for their appointment and compensation.
Finance and Taxation.

(With notice and proof attached and herewith exhibited as follows:)

A BILL

A bill will be introduced for enactment in the present session of the Legislature of Alabama, in substance as follows:

To be entitled an act to provide for a clerk to the tax assessor in counties having more than 37,000 population and less than 37,400 population, according to the 1910 Federal census, to prescribe the duties of such clerks and provide for their appointment and compensation.

Section 1. Be it enacted by the Legislature, That in each county having more than 37,000 population and less than 37,400 population, according to the 1910 Federal census, the tax assessor thereof is authorized to appoint a clerk to discharge such duties as may be assigned such clerk by said tax assessor relative the assessment of taxes of the property situated in the county; it being the duty of such clerk, as far as consistent, in the doing of the work so assigned, to be and remain during office hours in the office of such tax assessor.

Section 2. That the salary of each clerk so appointed shall be \$100.00 per month, payable out of the general funds of the county, on the warrant of the probate judge, who shall draw such warrant whenever the tax assessor furnishes the probate judge a certificate to the effect that the said clerk is entitled to such salary; it being the duty of each tax assessor within this class to present such certificates to the probate judge within ten days after the end of each month for the salary of the preceding month.

Section 3. That such clerks may be appointed by the respective tax assessors at any time after this act goes into effect, and the clerks so appointed shall hold, at the will of the respective tax assessors making the appointment, and may be removed at any time without any cause being assigned for such action.

Section 4. That this act shall go into effect immediately after its passage and approval by the governor.

The State of Alabama, }
Walker County. }

Before me, the undersigned authority in and for said State and county, this day personally appeared L. S. Richardson, publisher of The Mountain Eagle, a newspaper published at Jasper, Walker county, Alabama, who being duly sworn, says that a notice of bill, copy of which is hereto attached, was published in the said Mountain Eagle once a week for four consecutive weeks, beginning on the 30th day of July, 1919, and ending with issue of August 20th, 1919.

L. S. Richardson, Publisher.

Sworn to and subscribed before me, this 20th day of August, 1919.

J. F. Craig,
Notary Public.

(Seal)

By Mr. Sims:

S. 554. To encourage production on farms in Alabama and to exempt from taxation certain farm implements and machinery.

Finance and Taxation.

Also:

S. 555. To encourage the production of pure bred registered live stock in the State of Alabama and to exempt from taxation pure bred live stock for four years from date of purchase.

Finance and Taxation.

By Mr. Prestwood:

S. 556. To dispose of the fine and forfeiture fund in Conecuh county, Alabama, and to provide for the payment of all claims which are by law a charge against said fund.

Local Legislation.

(With notice and proof attached and herewith exhibited as follows:)

NOTICE.

Is hereby given that application will be made to the 1919 session of the Legislature of Alabama for the passage of an act in substance as follows: To dispose of the fine and forfeiture fund in Conecuh county, Alabama, and to provide for the payment of all claims which are by law a charge against said fund.

The State of Alabama, }
Conecuh County. }

Before me, F. J. Dean, a notary public in and for said State and county, personally appeared G. W. Salter, Jr., who being by me first duly sworn, deposes and says that he is the editor and publisher of The Evergreen Courant, a newspaper published weekly at Evergreen in said State and county; that the above and foregoing notice was published in the said The Evergreen Courant for four consecutive weeks in the issues of July 24th, 31st, August 6th, and 13th, 1919.

G. W. Salter, Jr.,
Editor and Publisher.

Subscribed and sworn to before me, this the 16th day of August, 1919.

F. J. Dean,
Notary Public.

By Mr. Prestwood:

S. 557. To authorize the commissioners' court of Conecuh county, Alabama, to pay out of the general fund of said county to the tax assessor of said county, the sum of six hundred dollars per annum for extra assistance in his office.

Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF LOCAL LEGISLATION.

Notice is hereby given of the intention to apply to the Legislature of Alabama, at its session to be assembled July 8th, 1919, for the passage of an act in substance as follows: To authorize the commissioners court of Conecuh county, Alabama, to pay out of the general fund of said county to the tax assessor of said county the sum of six hundred dollars per annum for extra assistance in his said office.

The State of Alabama, }
Conecuh County. }

Before me, F. J. Dean, a notary public in and for said State and county, personally appeared G. W. Salter, Jr., who being by me first duly sworn, deposes and says that he is the editor and publisher of The Evergreen

Courant, a newspaper published weekly at Evergren in said State and county; that the above and foregoing notice was published in the said The Evergreen Courant for four consecutive weeks in the issues of July 23rd and 30th; August 6th and 13th, 1919.

G. W. Salter, Jr.,
Editor and Publisher.

Subscribed and sworn to before me, this the 16th day of August, 1919.

F. J. Dean,
Notary Public, Conecuh County, Alabama.

By Mr. Prestwood:

S. 558. To divide Conecuh county, Alabama, into four commissioners' districts; to provide for the election of county commissioners for said county from each of such districts by the qualified electors of said districts; to provide elections at which the county commissioners for said county shall be elected and to provide for and fix their term of office.

Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE.

Is hereby given of the intention to apply to the Legislature of Alabama, at its session to be assembled in January, 1919, for the passage of an act in substance as follows: To divide Conecuh county, Alabama, into four commissioners districts; to provide for the election of county commissioners for said county by the qualified electors of said districts; to provide elections at which the county commissioners for said county shall be elected and to provide for and fix their term of office.

The State of Alabama, }
Conecuh County. }

Before me, F. J. Dean, a notary public in and for said State and county, personally appeared G. W. Salter, Jr., who being by me first duly sworn, deposes and says that he is the editor and publisher of The Evergreen Courant, a newspaper published weekly at Evergren in said State and county; that the above and foregoing notice was published in the said The Evergreen Courant for four consecutive weeks in the issues of December 25th, 1918; January 1st, 8th and 15th, 1919.

G. W. Salter, Jr.,
Editor and Publisher.

Subscribed and sworn to before me this the 22nd day of July, 1919.

F. J. Dean,
Notary Public, Conecuh County, Alabama.

By Mr. Bedsole:

S. 559. To provide for the expense of this session of the Legislature.

Finance and Taxation.

Also:

S. 560. To provide for the payment of any fee or reward that is made payable by statute to any person who furnished the

evidence that brought about the conviction of a person charged with unlawfully distilling or manufacturing or making prohibited liquors and beverages.

Finance and Taxation.

Also:

S. 561. To create a maritime lien for compensatory damages in favor of the personal representative of any person suffering death by the wrongful act, omission, or negligence, whilst in the territorial waters of this State, of any kind of boat, vessel, barge or other floating property, that is within the admiralty and maritime jurisdiction of the United States.

Judiciary.

Also (by request):

S. 562. To better secure compliance with the laws of Alabama, requiring instruction of all pupils in public schools, and in all schools and colleges supported in whole or in part by public money, or under State control, with reference to the effect of alcoholic drinks, stimulants and narcotics upon the human system.

Education.

By Mr. Kelly:

S. 563. To amend section 6647 of the Code of Alabama of 1907.

Finance and Taxation.

Also:

S. 564. To authorize the court of county commissioners or Board of revenue in all counties in this State having a population of not less than eighteen thousand, eight hundred and eighty-nine and not more than eighteen thousand, eight hundred and ninety, according to the last preceding Federal census, to furnish to the sheriff in his county an automobile to be used by the sheriff in the discharge of his duties as sheriff, and to pay all expenses of operating said automobile, and of keeping the said automobile in repair.

Finance and Taxation.

By Mr. Morris:

S. 565. To provide for the election of county superintendent of education of Dale county, Alabama, by the people and to provide for the election of school trustees of every school district in said county by the patrons of such district.

Education.

(With notice and proof attached and herewith exhibited as follows:)

A BILL TO BE ENTITLED AN ACT

To provide for the election of county superintendent of education of Dale county, Alabama, by the people, and to provide for the election of school trustees of every school district in said county by the patrons of such district.

Be it enacted by the Legislature of Alabama:

1. That the county superintendent of education of Dale county, Alabama, after the expiration of the present term of the incumbent of that office shall be elected by the qualified voters of said county in the same way and manner as the judge of probate for said county is now elected; and no person shall be elected as such superintendent, unless engaged in school work, and who holds a first grade teachers certificate.

2. That the school trustees of every school district as now laid out by law, shall be elected annually by the patrons of such school district; and they are hereby clothed with the power and authority to elect all teachers for their several districts.

3. That all laws and parts of laws, general and special, in conflict with the provisions of this act, be and the same are hereby repealed.

W. W. Morris,

The State of Alabama, }
Montgomery County. }

I, John Q. Adams, editor and publisher of the Southern Star, a newspaper published at Ozark, Dale county, Alabama, do solemnly swear that the attached notice was published in said newspaper for four consecutive weeks prior to the making of this affidavit.

John Q. Adams,
Publisher.

Sworn to and subscribed before me this the 22nd day of August, 1919.

Peter A. Brannon,

Notary Public in and for Montgomery County, Alabama.

By Mr. McDowell:

S. 566. To establish a school at Eufaula, Alabama, to be known as the Southeast Alabama Industrial School, to provide for its management and to make an appropriation therefor.

Education.

By Mr. Craft:

S. 567. Defining, regulating and allowing boxing contests in all cities having a population of more than 30,000, according to the last or any subsequent Federal census, and creating a board to have supervision over such contests, imposing penalties, and providing for the appointment of such board.

Revision of Laws.

Also:

S. 568. To amend section 1 of the act entitled, "An act to regulate the fees of the sheriffs for feeding prisoners in jail under charge or conviction of any indictable offense, and to provide the payment therefor.

Finance and Taxation.

By Mr. Acker :

S. 569. To create the Alabama railroad and public utilities commission, with the powers and jurisdiction of the Alabama public service commission, and with additional powers and jurisdiction to supervise and regulate in the public interest: (a) the rates, fares and charges; (b) facilities, practice rules and service; (c) franchises, licenses and contracts; (d) the financing and securities; and (e) the construction of new common carriers and agencies and utilities affected with a public interest or rendering public service of any kind.

Judiciary.

By Mr. Acker :

S. 570. To amend sections five and six of an act entitled, "An act to establish an inferior court in precincts 15 and 20 in Calhoun county, Alabama, in lieu of all justices of the peace, and notaries public with power of justice of the peace, in said precincts, and to define the jurisdiction and powers of said court, and the judge thereof, to provide for the execution of the process of said court and the operation thereof, to regulate the rendition of judgments by default, to provide for the election, term of office, qualifications and compensation of the officers of said court, and the mode of their selection, and to abolish the office of justice of the peace and notary public with power of justice of the peace in said precincts. Court established.

Judiciary.

(With notice and proof attached and herewith exhibited as follows:)

State of Alabama, }
Calhoun County. }

Personally appeared before me, E. D. Willett, judge of court of common pleas of Anniston, H. M. Ayers, who is known to me, who being sworn says on oath that he is editor and publisher of the Evening Star, a newspaper published at Anniston, Calhoun county, Alabama; that the following notice was published in said newspaper on the 13th, 20th and 27th day of June, and the 4th day of July, 1919:

NOTICE.

"Notice is hereby given that a bill will be introduced in the Legislature to amend sections five and six of an act entitled, "An act to establish an inferior court in precincts 15 and 20 in Calhoun county, Alabama, in lieu of all justices of the peace and notary publics with power of justices of the peace in said precincts and to define the jurisdiction and powers of said court, and the judge thereof, to provide for the execution of process of said court and the operation thereof to regulate the rendition of judgments by default, to provide for the election term of office, qualifications and compensation of the officers of said court and the mode of their selection, and to abolish the office of justice of the peace and notary public with power of justice of the peace in said precincts.

Approved August 25, 1915, as follows:

Section 5. Be it further enacted, That the judge of said court shall receive a salary of twenty-four hundred dollars, payable monthly out of the county treasury upon warrant drawn upon the county treasury and the judge of said court shall be authorized to charge and collect a trial fee of one dollar for each and every trial had in said court in civil cases, which shall be collected and paid into the county treasury as other fees and costs collected by him."

(Signed) H. M. Ayers.

Sworn to and subscribed before me this the 10th day of July, 1919.

(Signed) E. D. Willett,

Judge of the Court of Common Pleas.

By Mr. Carmichael:

S. 571. To provide for the establishment and maintenance of public libraries by counties, to provide for their government and supervision, and to authorize the co-operation and affiliation of rural, town and village school libraries with any libraries so organized.

Education.

By Mr. Briscoe:

S. 572. To create a commission with authority and powers to act for and on behalf of the State of Alabama in acquiring by purchase or condemnation the building in the city of Montgomery, Alabama, commonly known and designated as the "First White House of the Confederacy," and also the land whereon said building rests or such other land as said commission may deem advisable, and to make appropriation for such purpose and for the maintenance and repair of such property.

Judiciary.

By Mr. West:

S. 573. To confer additional criminal jurisdiction on inferior courts or courts established in lieu of justices of the peace by whatsoever name called, on which courts criminal jurisdiction is now by law conferred, in counties having a population of over one hundred and fifty thousand, according to the last or any subsequent Federal census.

Revision of Laws.

REPORTS OF COMMITTEES.

Mr. Prestwood, chairman of the Standing Committee on Constitution and Constitutional Revisions and Amendments, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. West:

S. 373. To submit to the qualified voters of the State, at a special election to be held on the proclamation of the governor of Alabama, for their consideration, an amendment to the Constitution of Alabama, allowing the State to engage in, lend its credit or money in certain specified improvements.

By Mr. Craft:

S. 433. To submit to the qualified electors of the State, an amendment to section 93 of the Constitution of the State of Alabama whereby the State may engage in works of internal improvement and lend its money or credit in aid of same, provided that such improvements be and remain State property to be managed and controlled by the State or such public agency as the Legislature may prescribe and forbidding such assistance to private or corporate enterprises.

By Mr. West:

S. 374. To submit to the qualified voters of the State of Alabama, at a special election to be held on the proclamation of the governor of Alabama, for their consideration, an amendment to the Constitution of Alabama, empowering the Legislature to authorize counties, which have or which shall have taxable property in such counties of one hundred millions of dollars annually, or more, according to the assessments by such counties for the year 1918 A. D., or according to any annual assessment hereafter made, to engage in, lend their credit, grant public money or other thing of value in aid of the acquirement, construction, purchase, ownership, lease, maintenance, use, control and operation of highways, railroads, by any kind of motive power, conveyance or appliance; freight stations; passenger stations; wharves; piers; docks; warehouses; grain elevators; storage tanks; team trucks; and all other facilities and structures appurtenant thereto, in aid of commerce; the dredging of the approaches to the water terminals; to traverse or cross adjacent counties; and to increase the limit of county indebtedness from 3½ to 4½ per cent of such taxable property.

Mr. Butler, chairman of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Gunter:

S. 544. To provide for the payment to judges of probate of all fees, allowances and commissions fixed by law for the collection of licenses and taxes in cases where the license or tax

has been paid to some public officer other than the judge of probate within one year next preceding the adoption of this act, or is paid at any time thereafter, whether collected by suit or otherwise.

By Mr. Morris:

S. 538. To prohibit the levy or collection, in counties of not less than twenty-one thousand (21,000) nor more than twenty-two thousand (22,000) population, according to the Federal Census of 1910, or of any subsequent census, of any license or privilege tax or fee on any wagon used exclusively in connection with the cultivation of farms or the marketing of the products of the farm or forest occupied as owner or tenant by the owner of such wagon.

By Mr. Kelly:

S. 536. To provide for the compensation of deputy solicitors in all counties of the State having a population of more than 27,100 and less than 27,200, according to the last Federal census, and to provide the manner in which the same shall be paid.

By Mr. Leith:

S. 517. To fix the compensation of judges of county courts, serving in counties having a population of not less than 37,000 nor more than 37,500, according to the last preceding Federal census.

By Mr. Nance:

S. 488. To make an appropriation for certain fencing required for the Confederate Soldiers' Home at or near Mountain Creek.

By Mr. Evins:

S. 394. For the relief of T. H. Pearson.

By Mr. Griffith:

S. 509. For the relief of Rev. J. M. Johnson.

By Mr. Kelly:

S. 322. To appropriate the sum of four hundred and twenty-five dollars for the relief of the Rev. J. E. Deer, of Escambia county, Alabama, for services rendered as chaplain at State convict camps.

By Mr. Leith:

S. 344. To provide for a clerk to the tax assessor in counties having more than 37,000 population and less than 37,400 population, according to the 1910 Federal census, to prescribe the duties of such clerks and provide for their appointment and compensation.

By Mr. Sims:

S. 230. To fix the amount of ex-officio fees of sheriffs in all counties having a population of more than 37,900 and less than

38,000, according to the 1910 Federal census where the assessed value of real and personal property in such counties exceeds ten million dollars and to provide for the payment of the same.

By Mr. Sims:

S. 232. To fix the amount of ex-officio fees of clerks of the circuit court in all counties having a population of more than 37,900 and less than 38,000, according to the 1910 Federal census where the assessed value of real and personal property in such counties exceeds the sum of ten million dollars and to provide for the payment of the same.

By Mr. Gunter:

S. 543. To authorize and empower boards of revenue in counties having a population of not less than 82,000 and not more than 100,000 according to the latest Federal census, to expend county funds not exceeding \$2,500 per annum for county purposes not otherwise provided for by law.

By Mr. Jones of Montgomery:

H. 706. To appropriate the sum of \$234.00 to be paid to Isreal Belser in full settlement of the amount due him by the State of Alabama for services rendered as assistant State chaplain of convicts during 1915 and part of 1916, for which services he has not been paid.

By Mr. Howle:

H. 630. To relieve H. T. Deese, a Confederate soldier.

Mr. West, chairman of the Standing Committee on Local Legislation, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. West:

S. 533. To authorize and require boards of revenue or courts of county commissioners in all counties of this State having a population of more than 150,000, according to the last or any succeeding Federal census to provide each circuit judge with an adequate number of law books.

By Mr. Stewart of Bibb:

H. 579. To regulate and provide for the working, building, maintenance and upkeep of the public roads and bridges in Bibb county, Alabama, and prescribe manner and means of collecting and raising revenue and funds for the working, building, maintenance and upkeep of the public roads and bridges of and in Bibb county, Alabama; to regulate the public road and bridge affairs of Bibb county, Alabama; to provide funds, regulations and penalties to carry the provisions and purposes of this act into effect,

and the manner and means of raising or collecting such funds, and to provide for the collection of a per captia road tax and for a license tax on all vehicles including vehicles propelled by animals, electricity, gasoline or other power whatsoever to be used for the maintenance, building, upkeep and repair of such roads and bridges and for the collection thereof.

By Mr. Ross:

H. 609. To amend section four of an act entitled an act to establish an inferior court in precincts two and thirty-three in Jefferson county, Alabama, said precincts lying within or partly within the city of Bessemer in lieu of all justices of the peace in said precincts and to define the jurisdiction and power of the said court and of the judge, clerk and other officers thereof and to provide for a place for holding the same; approved August 27th, 1915.

Mr. Espy, chairman of the Standing Committee on Agriculture, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate, with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Craft:

S. 546. For the creation, organization and maintenance of stump and land clearing districts in the State of Alabama for the purpose of clearing and stumping land or lands, not now fitted for agricultural purposes, for sanitary or agricultural purposes, or when the same may be conducive to the public health, convenience or welfare or of public utility or benefit, by clearing or stumping or otherwise; to define the privileges, powers, duties and liabilities of such stump and land clearing districts, the officers and agents thereof; to provide for the levying of taxes upon the property in said clearing district or districts authorizing the issuance of bonds by such stump and land clearing districts; and giving to said stump and land clearing districts full power to acquire such machinery, tools, lands and property as may be necessary and proper for its purpose.

S. 511. To amend and consolidate sections 54, 55, 56, 57 and 58, of the Code, and the act of April 7, 1911, and the act of March 9, 1915, all relating to the "Canebrake Agricultural Experiment Station" at Uniontown, Alabama.

By Mr. Pittman:

H. 714. To prohibit live stock from running at large in all counties in Alabama having a population of not less than twenty-four thousand six hundred and fifty (24,650) nor more than twenty-four thousand seven hundred (24,700) according to the Federal census of 1910; to provide for the enforcement of the

provisions of this act; to fix penalties for the violation of the provisions of this act, and to repeal all laws and parts of laws in conflict herewith.

Mr. Cowan, chairman of the Standing Committee on Public Health, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read one time and placed on the calendar, to-wit:

By Mr. Cowan:

S. 539. To amend an act entitled, "An act to define dentistry in Alabama; to provide for the issuing of license certificates and the registration and display thereof; to provide for reports by probate judges of said registrations; to provide for the revoking or refusing to issue said certificates; to provide a board of dental examiners of Alabama, to provide for their election and prescribe their duties, powers, and qualifications, terms of office and compensation; to provide for the disposition of fees collected by said board; to provide fees and funds for enforcing said act; to provide for enforcing said act; to allow the board of dental examiners of Alabama to enter into reciprocity agreements with like boards of other states; to provide penalties and punishment for the violation of the provisions of said act; to provide for any unconstitutionality of said act, and to repeal all general and local laws in conflict with said act," and approved August 31st, 1915, by amending section 1 (A), 17, and 18 thereof, and by adding thereto an additional section.

By Mr. Cowan:

S. 309. To provide for the establishment and maintenance of a home for mental inferiors in Alabama; to define who are mental inferiors; to provide for their care, treatment, and training, and to appropriate the money necessary therefor from the State treasury.

By Mr. West:

S. 524. To amend section 7560 of the Code of 1907.

By Mr. Jones of Montgomery (with amendment):

H. 458. Relating to dependent, neglected, or delinquent children in all counties of Alabama which have a population of as many as eighty-two thousand people, and not more than one hundred thousand, according to the last Federal census; to define who are dependent, neglected or delinquent children; to declare that such children shall be wards of the State; to provide for their custody, discipline, supervision, care, protection, guardianship and welfare; to create and establish in such counties such juvenile courts, and to provide for their equipment and mainte-

nance; to create and confer upon such courts jurisdiction, under the terms of this act, to try and determine the question of dependency, neglect or delinquency of children in such counties, and when found to be such to adjudicate and determine all questions as to their guardianship, custody, supervision, discipline, care, control, protection and training; and generally to confer upon such courts jurisdiction and power to try and determine all questions arising under the terms of this act, or which may otherwise be referred to them by law, for adjudication; or which may be necessary or convenient to the exercise of such jurisdiction, or to carry out the purpose and intent of this act; to provide for the trial and punishment of those who aid, abet, cause or connive at, or contribute to the delinquency, neglect or dependency of such children; to provide and regulate the procedure in such cases, and to confer power upon such courts to make such rules and regulations and to devise such forms, where not otherwise provided for under the terms of this act, as shall be found necessary or convenient to the exercise of its jurisdiction, or for the conduct of probation officers of their work, as provided for in the act; to provide for the taking and enforcement of recognizances and bonds; and for the taking of appeals from the decisions of such courts; to provide for the trials of any delinquent in a criminal court of competent jurisdiction who has shown himself or herself to be unamenable to the discipline under the terms of this act; and for the appointment of an advisory board to such courts, and to define the duties and powers of such boards; to provide for the appointment of the judge or other officers of such courts and to define their powers and duties, and to provide for their compensation; to declare that should any part of this act be found unconstitutional that it will not affect the remainder thereof, and to provide for the repeal of all laws in conflict with this act.

Mr. Kelly, chairman of the Standing Committee on Public Roads and Highways, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Kelly:

S. 535. To provide for the construction, maintenance and control of the public roads and bridges of all counties in the State of Alabama having a population of not less than 27,155 and not more than 27,200, by the last or any succeeding Federal census; to further define the duties of the courts of county commissioners, or like governing bodies, of all such counties; to provide for the levy and collection of a vehicle license tax; to provide

for the levy and collection of a per capita road tax in commutation of road duty; and to regulate the performance of road duty in such counties by the citizens thereof.

By Mr. Gunter:

S. 542. To authorize and require the construction of a public road or highway from the lower Wetumpka road to old Fort Toulouse (later Fort Jackson) on the Coosa River, and to provide necessary funds thereof.

By Mr. Howle:

H. 503. To create and designate an additional trunk road, ~~extending from the town of Heflin in Cleburne county south to~~ Wedowee in Randolph county, and to confer upon said road all the rights and privileges now extended to trunk roads in this State.

By Mr. Mitchell:

H. 595. To create, establish and designate an additional State trunk road to be known as No. 23.

By Mr. Dansby:

H. 629. To amend section 1 of an act entitled, "An act to designate certain public roads of the State of Alabama as State trunk roads, and to provide the manner in which said roads shall be located, improved and maintained." Approved September 10th, 1915.

By Mr. Hall of Marion:

H. 659. To establish an additional State trunk road, running from Hamilton, thence to the Illinois Central Railroad crossing at Wiginton, by way of Jackson military road, as the same now runs.

By Mr. Orr:

H. 701. To amend section 1 of an act to designate certain public roads of the State of Alabama, as State trunk roads and to provide the manner in which such roads shall be located, improved and maintained, approved August 10th, 1915.

By Mr. Wharton:

H. 607. To create and designate an additional trunk road number 5 to extend from Fort Payne, Alabama, to Scottsboro, Alabama, and to confer upon said road all of the rights and privileges now extended to trunk roads in this State.

By Mr. Jones of Escambia:

H. 638. To declare the public road leading from Brewton, Alabama, to Monroeville, Alabama, a part of the State highway system.

By Mr. Preston:

H. 732. To designate a certain public road of Alabama as a State trunk road or highway, and to provide the means by which

such State trunk road or highway shall be constructed, improved and maintained.

By Mr. Peters:

H. 736. To designate a part of the Alabama State trunk highway, beginning at Mt. Vernon camp ground in Fayette county, on Fayette and Columbus highway; thence in a southeasterly direction to where the present road intersects the Fayette and Kennedy road, near the residence of W. B. Harkins, thence along the said Fayette and Kennedy road north of Luxapalila river extending in a southeasterly direction, passing Sudduth cemetery and Holliman's mill, intersecting the Beaverton, Kennedy and Millport highway, about one mile north of Kennedy, Alabama; also the Newtonville road, beginning at Fayette, Alabama, and extending southward to the Tuscaloosa county line, near Newtonville, Alabama; also that certain road, known as Carbon Hill road, beginning at a point on said Russellville road about six miles northeast of Fayette, Alabama, and extending in a northeasterly direction to Walker county line, near Carbon Hill, Alabama, said roads to be hereafter numbered by the State highway department, as State trunk highways, and to provide that said State trunk highways, created by the provisions of this act, shall receive such benefits as other State trunk highways heretofore established.

Mr. Carmichael, chairman of the Standing Committee on Education, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Briscoe:

S. 532. To authorize the consolidation of contiguous territory in two or more adjoining counties into one school district; to provide for the management and control of the school or schools of such consolidated district; to provide for the levy and expenditure of funds and for the issuance of interest bearing warrants for the erection, repair or equipment of school buildings in such consolidated district; to provide for the maintenance and support of the school or schools in such consolidated district, and to ratify and confirm local tax elections held in the territory consolidated prior to such consolidation.

Mr. Miller, chairman of the Standing Committee on Revision of Laws, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. West:

S. 525. To regulate and define the power and jurisdiction of constables in all counties in the State of Alabama having a population of 200,000 or more, according to the last or any future Federal census.

By Mr. Carlton:

S. 540. To authorize and empower the county of Marengo to issue its bonds, bearing interest at the rate of six per centum per annum, for the purpose of refunding its indebtedness, ~~existing at the date of the approval of this act~~; to sell the same at not less than their face value; to regulate their issuance and sale, and to repeal all laws in conflict with this act, in so far as the said county is concerned.

By Mr. Carlton:

S. 541. To divide the county of Marengo into four commissioners court districts; to provide for the election of one qualified elector residing in said district as county commissioner from said district, by the qualified electors of the entire county of Marengo.

By Mr. Craft (with substitute):

S. 206. To amend sections 3 and 4 of an act entitled, "An act to create a State harbor commission to be known as the "State harbor commission," define its jurisdiction, powers and duties and prescribe the mode of procedure and penalties for violation of this act, and to repeal all laws in conflict therewith." Approved September 25th, 1915.

By Mr. Kelly:

S. 513. To repeal an act of the Legislature of the State of Alabama, to permit county commissioners in any county of Alabama, which has or may have an area of one thousand five hundred seventy-five square miles, or more to succeed themselves in office if they are properly qualified and elected, approved, September 28, 1915.

By Mr. Kelly:

S. 512. To repeal an act of the Legislature of the State of Alabama, entitled an act requiring the election of members of courts of county commissioners, or boards of revenue of counties in the State, having, or may hereafter have an area of one thousand five hundred seventy-five square miles, or more, by the voters only of the district which such commissioners represent, and to make such officers ineligible to election as their own successors, approved September 10, 1915.

By Mr. Harrison:

H. 445. To further extend the power and authority of boards of revenue of counties having a population of more than one hun-

dred thousand people, according to the last Federal census, or according to any subsequent Federal census, and particularly to authorize and empower such boards to appropriate money or funds out of the county treasury to aid in maintaining homes or institutions for aged women.

By Mr. Hale:

H. 703. To prescribe the qualifications, duties and compensations of coroners and their assistants; making it unlawful for any one to remove or disturb the body of a person whose death is due to violence before an inquest by the coroner if he deems it necessary; to make it the duty of the sheriff to execute any, and all, process, directed to him by the coroner in the discharge of his official duties; to authorize coroners to punish contempts, to authorize and empower coroners to perform autopsies upon the bodies of persons who have died by violence when necessary to ascertain the causes of death, to prescribe the pay of witnesses and jurors in proceedings by coroners; to authorize any person to pick up and to secure the bodies of any deceased person found in any of the waters or streams in any of the counties embraced in this act and to further provide for their compensation for so doing; this act shall embrace and shall apply only to counties in this State containing not less than eighty thousand nor more than eighty-one thousand inhabitants; according to the last Federal census, and shall repeal all laws and parts of laws in conflict with this act.

By Mr. Holmes of Baldwin:

H. 720. Empowering the clerk of the circuit court in the county of Baldwin to take affidavits for the arrest of parties charged with crime, and to issue warrants for the arrest of such parties, returnable before the judge of the county court.

By Mr. Lynne:

H. 707. To repeal an act entitled: "An act to establish in precinct one in Morgan county, Alabama, an inferior court in lieu of all justices of the peace and notaries public with powers of justices of the peace in said precinct, to be known as the inferior court of Decatur; to define the jurisdiction and powers of said court and the judge thereof," approved September 2, 1915.

By Mr. Lynne:

H. 711. To repeal an act entitled, "An act to establish in precinct 19, in Morgan county, Alabama, an inferior court in lieu of all justices of the peace and notaries public with powers of justices of the peace in said precinct, to be known as the inferior court of New Decatur; to define the jurisdiction and powers of said court and the judge thereof," approved September 2, 1915.

Mr. Acker, chairman of the Standing Committee on Judiciary, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Jones of Montgomery (with substitute):

H. 756. To ratify, legalize and confirm, all grants, rights, privileges, contracts, bonds, conveyances, sales, leases, rentals, purchases, undertakings, agreements, or payments in relation to ~~any United States military camp, remount station, base hospital,~~ aviation field or depot, heretofore made or attempted to be made by or for the use of or benefit of all cities in Alabama which now have a population of as much as twenty-five thousand, and less than fifty thousand people according to the last Federal census; to ratify, legalize and confirm all purchases or rentals of real estate or other property, and all contracts or agreements to purchase or rent, whether within or without the corporate limits of such city; to authorize such city to retain, maintain, sell, lease or convey such property; to authorize and legalize the payment of expenses, charges, costs, court costs made or to be made therein or in relation thereto; to extend the police jurisdiction of such city over said real estate to the extent that such real estate lies in the same county as such city.

Mr. Cowan, chairman of the Standing Committee on Public Health, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Gunter (with amendment):

S. 361. To prescribe the term of training for nurses in hospitals and schools in Alabama, and the method of certification as such.

By Mr. Cowan (with substitute):

S. 353. To revise and improve the public health laws of Alabama by amending article 1 of chapter 22 of the Code of Alabama of 1907 and sections 1632 and 1636 of said Code.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has concurred in and adopted the governor's amendment to the bill:

H. 104. To repeal section 6698 of the Code of Alabama of 1907, and to make the clerks of the circuit courts of the respective counties ex-officio clerks of the county courts of said coun-

ties; to provide payment for services of such clerks, manner of payment and to provide for a bond as such clerk.

Said governor's amendment being as follows:

"Section 6. Nothing in this act contained shall be applicable to counties in which the clerk of the circuit court is paid a salary."

By a vote of Yeas, 72; nays, 0, which was a majority of the whole number elected to the House.

And sends same herewith to the Senate.

Fred H. Gormley,
Clerk.

HOUSE AND GOVERNOR'S MESSAGE.

On motion of Mr. Evins, the Senate concurred in and adopted the amendment proposed by his excellency, the governor, to House bill 104, the title of which is set out in the foregoing message from the House and said governor's amendment being also set out in the foregoing message from the House.

Yeas, 30; nays, 0.

Yeas:

Messrs:

Acker	Cowan	Kelly	Prestwood
Baker	Ellis	Leith	Rogers (Lauderdale)
Beale	Espy	Miller	Sims
Bedsole	Evins	Moore	Smith (Coosa)
Briscoe	Griffith	Morris	Smith (Lawrence)
Brown	Gunter	McDowell	Tally
Butler	Harper	Phillips	West
Carlton	Huddleston		

—30

Nays:—None.

Being a majority of the whole number elected to the Senate.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has amended as therein shown and as amended has passed:

S. 248. To amend section 6112 of the Code of 1907.

And has passed:

S. 154. To designate a certain public road of the State of Alabama as a State trunk road and to provide the manner in which such road shall be located, improved and maintained.

And has concurred in and adopted:

S. J. R. 89. Memorializing Congress of the United States to pass laws for the deportation of any undesirable aliens, and

to further restrict the coming into the ports of the United States of undesirable people from foreign countries.

And returns same herewith to the Senate.

Fred H. Gormley,
Clerk.

HOUSE MESSAGE.

On motion of Mr. Bedsole, the Senate concurred in the following amendment by the House to Senate bill No. 248, the title of which is set out in the foregoing message from the House, to-wit:

Amend Senate bill 248 by striking therefrom the word "accidents" and inserting in lieu thereof the word "action."

Yeas, 31; nays, 0.

Yeas:

Messrs:

Acker	Cowan	Kelly	Rogers (Lauderdale)
Baker	Craft	Leith	Rogers (Sumter)
Beale	Ellis	Miller	Sims
Bedsole	Espy	Moore	Smith (Coosa)
Briscoe	Griffith	Morris	Smith (Lawrence)
Brown	Gunter	McDowell	Tally
Butler	Harper	Phillips	West
Carlton	Huddleston	Prestwood	

—31

Nays:—None.

NOTICE OF MOTION TO TAKE FROM ADVERSE CALENDAR.

Mr. Brown gave the Senate the following notice in writing:

Notice is hereby given that on the next legislative day at 3 o'clock P. M., a motion will be made to take from the adverse calendar, have the same read a second time and placed on the regular calendar, the bill:

S. 306. To define optometry; to provide for the regulation of the practice thereof; to provide for the examination of applicants to practice optometry in Alabama; to provide for the issuing of licenses and certificates and the registration and display thereof; to provide for reports by probate judges of said registrations; to provide for the revoking or refusing to issue said licenses and certificates; to provide for a State board of optometry; to provide for the appointment of members thereof, and prescribe their duties, powers, qualifications, terms of office and compensation; to provide for the disposition of fees collected by said board; to provide fees and funds for enforcing said act; to provide for enforcing said act; to allow the board to enter into reciprocity agreements with like boards of other states; to provide

penalties and punishment for violations of the provisions of said act; and to repeal all general and local laws in conflict with said act.

Watt T. Brown.

REPORT FROM COMMITTEE ON ENROLLED BILLS.

Mr. President:

Your Standing Committee on Enrolled Bills beg leave to report that said committee, in session, have compared the following enrolled bills with the engrossed bills, respectively, and find same correctly enrolled, to-wit:

S. 342. To vacate and to annul the dedication of that part of Fifth, Sixth and Seventh streets in the city of Anniston, State of Alabama, through, over, on or across and as projected through, over, on or across that certain tract of land situated and being in said city of Anniston and bounded on the north by Tenth street, on the east by the right of way of the main line of the Mobile division of the Southern Railway Company (formerly the East Tennessee, Virginia and Georgia Railway Company), on the south by Fourth street and the right of way of the Birmingham division of the Southern Railway Company (formerly Georgia Pacific Railway Company), and on the west by Glen Addie street and the right of way of the said Birmingham division of the Southern Railway Company.

S. 329. To provide for and fix the compensation to be allowed the sheriff and circuit clerk of Covington county for all official duties for the compensation of which no express provision is made by law; and to provide how the court of county commissioners of Covington county shall fix and allow said compensation and to regulate the same; to provide for the repeal of all laws, local, special or general in conflict therewith insofar as they relate to the compensation of the sheriff and circuit clerk of Covington county.

S. 53. Prescribing the liability of an employer to make compensation by way of damages for injuries received by an employee occasioned by an accident arising out of and in the course of his employment and providing for the enforcement of same, modifying common law and statutory remedies, in such cases; establishing an alternative elective schedule of compensation, regulating procedure for the determination of liability and compensation thereunder in certain cases, and prescribing penalties for the violation thereof; and providing for attorney's fees and for medical and surgical services.

S. 349. To enlarge and further define the duties and fix the compensation of humane officers in counties of this State having

a population of not less than 80,000 nor more than 82,000, according to the Federal census of 1910, or any subsequent Federal census.

Chas. McDowell, Jr.,
Chairman.

SIGNING OF BILLS.

The President of the Senate, in the presence of the Senate after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the following bills:

S. 342. To vacate and to annul the dedication of that part of Fifth, Sixth and Seventh streets in the city of Anniston, State of Alabama, through, over, on or across and as projected through, over, on or across that certain tract of land situated and being in said city of Anniston and bounded on the north by Tenth street, on the east by the right of way of the main line of the Mobile division of the Southern Railway Company (formerly the East Tennessee, Virginia and Georgia Railway Company), on the south by Fourth street and the right of way of the Birmingham division of the Southern Railway Company (formerly Georgia Pacific Railway Company), and on the west by Glen Addie street and the right of way of the said Birmingham division of the Southern Railway Company.

S. 329. To provide for and fix the compensation to be allowed the sheriff and circuit clerk of Covington county for all official duties for the compensation of which no express provision is made by law; and to provide how the court of county commissioners of Covington county shall fix and allow said compensation and to regulate the same; to provide for the repeal of all laws, local, special or general in conflict therewith insofar as they relate to the compensation of the sheriff and circuit clerk of Covington county.

S. 53. Prescribing the liability of an employer to make compensation by way of damages for injuries received by an employee occasioned by an accident arising out of and in the course of his employment and providing for the enforcement of same, modifying common law and statutory remedies, in such cases, establishing an alternative elective schedule of compensation, regulating procedure for the determination of liability and compensation thereunder in certain cases, and prescribing penalties for the violation thereof; and providing for attorney's fee and for medical and surgical services.

S. 349. To enlarge and further define the duties and fix the compensation of humane officers in counties of this State having

a population of not less than 80,000 nor more than 82,000, according to the Federal census of 1910, or any subsequent Federal census.

RESOLUTION.

Mr. Carmichael offered the following joint resolution:

S. J. R. 120. Relating to Federal aid for the promotion or development of mines and mining, and mining engineering in the State of Alabama.

Whereas, the Alabama educational commission has recommended the concentration at the University of Alabama of training and investigations in mining engineering and the authorities of the two States engineering colleges have accepted this recommendation, and

Whereas, it appears that certain advantages may in future years accrue to the several states in the development of mines and mining by the action of the Federal Government:

Now, therefore, be it resolved by the Senate of the State of Alabama, the House concurring:

1. That the department of mining engineering of the University of Alabama be and hereby is declared to be the "School of Mines" of the State of Alabama.

2. That Alabama's share of such Federal aid as may hereafter be provided by Congress for the promotion or development of mines and mining, and mining engineering in the several States through educational agencies, shall be put at the exclusive disposal of the University of Alabama to be utilized in connection with or by that institution in such manner as the Federal law and regulation may prescribe.

Which was read and referred to the Standing Committee on Education.

MESSAGE FROM THE HOUSE.

Mr. President:

The Speaker having signed the following House bill, your signature thereto is requested:

H. 104. To repeal section 6698 of the Code of Alabama of 1907, and to make the clerks of the circuit courts of the respective counties ex-officio clerks of the county courts of said counties; to provide payment for services of such clerks, manner of payment and to provide for a bond as such clerk.

Fred H. Gormley,
Clerk.

SIGNING OF BILL.

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the following bill:

H. 104. To repeal section 6698 of the Code of Alabama of 1907, and to make the clerks of the circuit courts of the respective counties ex-officio clerks of the county courts of said counties; to provide payment for services of such clerks, manner of payment and to provide for a bond as such clerk.

REPORT OF COMMITTEE ON REVISION OF THE JOURNAL.

Mr. Griffith, chairman of the Committee on Revision of the Journal, reported that said committee, in session, had examined the Journals of the Senate for the 36th and 37th legislative days of the session, and found same contain the proper entries in reference to each bill and resolution contained therein, as required by the Constitution.

A. A. Griffith,
Chairman.

COMMITTEE REPORT.

The foregoing report from the Committee on Revision of the Journal was read, and on motion of Mr. Griffith, the same was adopted and the Journals of the Senate of the 36th and 37th legislative days of the session were approved by the Senate.

RECESS.

At 12:30 o'clock P. M., on motion of Mr. Leith, the Senate took a recess until 2:15 this afternoon.

AFTERNOON SESSION—THIRTY-EIGHTH DAY.

Friday, August 22, 1919.

The Senate re-assembled at 2:30 o'clock P. M., Lieutenant Governor Miller, presiding.

ROLL CALL.

On a call of the roll 26 members answered to their names, a quorum of the Senate, as required by the Constitution.

COMMITTEE OF THE WHOLE.

On motion of Mr. Carmichael, the Senate at 2:30 o'clock P. M., resolved itself into a committee of the whole Senate for the purpose of further consideration of the revenue bill.

On motion of Mr. Carmichael, the Committee of the Whole rose and reported to the Senate:

H. 383. To provide for the general revenue of the State of Alabama.

With amendment. Said Committee of the Whole amendment being as follows:

Amend House bill No. 383, section 2, subdivision (a):

By striking out after the words, "all cemeteries," the following words, "all lots in incorporated cities and towns, or within one mile of any city or town, to the extent of one acre, and lots one mile or more distant from such cities and towns, to the extent of five acres, with the buildings thereon, when the same are used exclusively for religious worship, for schools, or for purposes purely charitable; all mortgages on real and personal property situated in this State, except as to privilege tax for recording the mortgage securing such credits, where such credits are secured by mortgage, and such mortgage is offered for filing for record," and insert in lieu thereof the following:

"all property, real or personal, used exclusively for religious worship, for schools, or for purposes purely charitable; provided, however, that property, real or personal, owned by any educational, religious or charitable institution, society or corporation, let for rent or hire, or used for business purposes, shall not be exempt from taxation, notwithstanding the income from such property shall be used exclusively for educational, religious or charitable purposes; all mortgages, together with the notes, debts, and credits secured thereby on real and personal property situated in this State, which mortgages have been filed for record and the privilege tax paid thereon."

Also amend said section, subdivision (a) by adding at the end of said subdivision (a) the following words:

"all money on deposit in any bank or banking institution in this State and all solvent credits."

Amend House bill No. 383 by adding the following sub-section to section 2, which is sub-section H:

"h. All shipbuilding plants in the erection, construction and equipment of which not less than one hundred thousand dollars shall have been bona fide expended in that time, together with the buildings, works, machinery, appliances, and appurtenances thereof, and all additions necessary or proper for its practical

operation made to any such plant, its buildings, works, machinery, appliances and appurtenances, shall be exempt from State, county and municipal taxation and licenses, except a franchise tax as provided by the Constitution, for a period of ten years from the time of the beginning of such construction. And all capital stock of any such shipbuilding plants shall likewise be exempt from taxation covering said period. Provided that such exemptions shall in no case extend beyond nine years from the date of the passage of this act. After the expiration of such nine years ~~all such exemptions not already terminated~~ shall cease and terminate, and provided further that no exemption shall extend beyond the date of ten years from the time of the commencement of construction; but this section shall not be construed to exempt from such taxation any lands upon which such plant is erected or which may be used in connection therewith. Provided, that no house or building inhabited by any person or used for the sale of any goods, wares or merchandise shall be exempt from taxation under this section."

Amend House bill No. 383 by adding the following sub-section to section 2, which is sub-section j:

"j. To encourage the development of the various unused water powers of this State, the plants, and the property, business, and franchises necessary for the production, transformation and distribution of electric current, of any person or firm, or of any corporation organized for the purpose of developing hydro-electric power for the use of the public, shall, in consideration of the benefits to be derived by the public from the development and operation of such properties and plants, be exempt from State, county and municipal property and privilege taxation of all description, either under general or local laws, except a franchise tax as provided for by the Constitution, until ten years after the beginning of the construction of any such plant; provided that such exemption shall in no case extend beyond nine years from the date of the passage of this act. After the expiration of such nine years, all such exemptions not already terminated shall cease and terminate; and provided further that no exemption shall extend beyond ten years from the date of the commencement of construction. Nothing in this section shall be so construed as to exempt from taxation the lands upon which such plants are erected.

Amend House bill No. 383 by adding the following sub-section to section 2, which is sub-section k:

"k. The plant, property and business necessary for the manufacture of calcium cyanamid, of any person, or firm, or of any corporation organized for the purpose of manufacturing calcium

cyanamid, shall be exempt from State, county and municipal property and privilege taxes of all descriptions, either under general or local laws, until ten years after the beginning of the construction of any such plants, except a franchise tax as required by section 222 of the Constitution of the State of Alabama; until ten years after the beginning of the construction of any such plant; provided that such exemptions shall in no case extend beyond nine years from the date of the passage of this act. After the expiration of such nine years, all such exemptions not already terminated shall cease and terminate; and provided further that no exemption shall extend beyond ten years from the date of the commencement of construction. Nothing in this section shall be so construed as to exempt from taxation the lands upon which such plants are erected."

Amend House bill No. 383, by adding the following:

"Sec. 4½. That a trial tax of three dollars be, and the same hereby is, imposed in each case, civil, criminal and equity, which hereafter goes upon the docket of any circuit court in this State, to be taxed and collected as other costs, and when collected, to be paid by the clerk of such court, into the general funds of the State treasury."

Amend House bill No. 383, section 5, subdivision (f), by adding at the end thereof the following words:

"which is specifically exempt from taxation."

Amend House bill No. 383, section 14, by inserting after the words "corporation" the words "or a bank."

Amend House bill No. 383, section 16, by adding to said section 16 the following:

"In ascertaining the amount of the annual franchise tax which shall be paid by any foreign corporation doing business in this State under this section, there shall be deducted from the amount of the capital employed by such corporation in this State the aggregate amount of loans of money made by such corporations in this State, and which shall be secured by existing mortgage or mortgages to it on real estate in this State, and upon which mortgages there shall have been paid the recording privilege tax provided by law."

Amend House bill No. 383 by adding section 16½:

"Section 16½. The franchise tax required by sections 15 and 16 shall be payable to the State board of equalization. The said State board of equalization shall pay two-thirds of each franchise tax collected into the State treasury; the remaining one-third shall be apportioned by the State board of equalization to the several counties in which the corporation does business in proportion to the amount of taxable value of property of such

corporation in each of said counties, and shall be by the State board of equalization paid over to the county treasurer in such proportion."

Amend House bill No. 383, section 21,

By striking out the words "the secretary of which every" in the first line of said section, and substitute therefor the words, "which any such."

Amend House bill No. 383, section 24,

By striking out the words "ten per cent" wherever said words occur in said section, and inserting in lieu thereof "five per cent."

Amend House bill No. 383, section 25,

By adding the following words, "provided that domestic life companies paying a capital stock tax and other taxes required by law are exempt."

Amend House bill No. 383, page 20, lines 45 and 46,

By striking out the words, "and by bill posted at five or more public places in each election precinct."

Also by striking out the words on page 20, line 48, and page 21, line 1, "he shall visit each precinct," and insert in lieu thereof "he shall visit such places in the county as may be designated by order of the court of county commissioners or other governing body of the county."

Amend House bill No. 383, section 195,

By striking out the words, "in all counties having forty thousand or more inhabitants," and by adding at the end of said section the following words, "and shall by order specify the places in the county which the tax collector shall visit."

Amend House bill No. 383, section 260, so as to read as follows:

"Section 260. The certificate of purchase delivered by the tax collector to the purchaser at such sale, or to the State, in case the State is the purchaser, is assignable in writing or by endorsement, and if the State is the purchaser such assignment shall be made by the State auditor upon the payment of the amount bid by the State, with interest thereon at the rate of eight per cent per annum, and the assignment thereof vests in the assignee and his legal representative all the rights and title of the original purchaser or of the State, in case the State is the purchaser."

Amend House bill No. 383, section 302,

By striking out "five years" and inserting in lieu thereof "two years."

Amend House bill No. 383, section 335,

By adding after the word "State," where it occurs the second time the following words:

"except the income derived from loans of money made by such corporations in this State and which shall be secured by existing mortgages to it on real estate in this State and upon which mortgages there shall have been paid the recording privilege tax provided by law which income shall not be taxed?" Provided such loans are made at eight per cent or less, including commissions.

Amend House bill No. 383, section 336,

By adding subdivision 13:

"(13) Life insurance companies organized under the laws of this State, or any other State or country, and paying a license fee or privilege tax upon premium receipts for the privilege of transacting business in this State."

"Provided that this shall apply to and include life insurance companies covering life, health and accident risks in one policy on weekly payment plan.

Amend House bill No. 383, subdivision 2, section 338, paragraph B,

By adding at the end thereof the following:

"nothing in this paragraph (B) shall be construed as including the income derived from loans on real estate secured by mortgages on which the recording privilege tax has been paid."

Amend House bill No. 383,

By striking out sections 357 to 360 $\frac{1}{2}$, both inclusive.

Amend House bill No. 383, schedule 6,

By adding to the last line of said schedule the following:
"Persons paying an automobile license may have the same transferred to any other persons, or to any other car, provided the same is not of a greater horse power, by applying to the probate judge who issued the same, and it shall be his duty to make a record of the transfer, which shall be in writing."

Amend House bill No. 383, schedule 11-B,

By inserting right after the word "oil" and before the word "shall" the words "in any municipality or police jurisdiction thereof."

Also strike out in said schedule "ten" and insert "twenty."

Amend House bill No. 383, schedule 18,

By adding at the end of said schedule the following:

"This license shall not authorize the use of any private property without the consent of the owner."

Also by striking out "two hundred and fifty dollars," and inserting in lieu thereof "five hundred dollars."

Amend House bill No. 383, schedule 20,

By striking out schedule 20.

Amend House bill No. 383, schedule 22,

By striking out schedule 22.

Amend House bill No. 383, schedule 52,

By striking out "seven hundred dollars," and inserting in lieu thereof "five hundred dollars."

Amend House bill No. 383, subdivisions (b), (c), (d), (e), (f), (g) and (h) of schedule 48, so that said subdivisions shall read as follows, to-wit:

"(b) In municipalities having a population of five hundred people, or less than this number, two dollars and fifty cents per annum.

"(c) In municipalities having a population of five hundred people and over, and not exceeding one thousand, fifteen dollars per annum.

"(d) In municipalities having a population of one thousand and not exceeding two thousand, twenty-five dollars per annum.

"(e) In municipalities having a population of two thousand and not exceeding three thousand, thirty-five dollars per annum.

"(f) In municipalities having a population of three thousand, and not exceeding four thousand, forty-five dollars per annum.

"(d) In municipalities having a population of four thousand and not exceeding five thousand, seventy-five dollars per annum.

"(h) In municipalities having a population of five thousand and not exceeding ten thousand, one hundred and twenty-five dollars per annum.

Amend House bill No. 383, schedule 58,

By striking out in said schedule the word "ten" and inserting in lieu thereof the word "fifteen," in the first sentence thereof.

Also by striking out in the last sentence the words "two thousand" and inserting in lieu thereof "twenty-five thousand."

Amend House bill No. 383, schedule 59,

By changing the period at the end of the second paragraph of said schedule to a comma and adding thereafter the words "nor by municipalities upon non-profit fire and casualty insurance companies or associations doing business by mail or through traveling solicitors or agents, and not maintaining local agents therein."

Amend House bill No. 383, schedule 70,

By striking out from said schedule the words, "The payment of the license required by this schedule shall authorize the doing of business in any town, city, or county in this State," and inserting in lieu thereof the following: "The payment of the license in one county of the State, as evidenced by the license or official certificate of the judge of probate, shall be sufficient; provided, however, that if an office is maintained in more than one county the license shall be payable in each county where an office is maintained."

Amend House bill No. 385, schedule 93,

By adding at the end thereof the following: "Provided that a merchant carrying sewing machines as a part of his stock in trade, and whose principal business is not selling sewing machines, shall not be required to pay this license."

Amend House bill No. 383, schedule 95,

By striking out "ten thousand" and inserting in lieu thereof "eight thousand."

Amend House bill No. 383, schedule 101,

By inserting after the words "loaning money" in the last sentence thereof the words "as an incident merely to the real estate business."

Amend House bill No. 383, schedule 102,

By striking out "one hundred" at the end of the first sentence and inserting in lieu thereof "five hundred."

Amend House bill No. 383, schedule 103, by adding the following:

"(a) In addition to said amount paid to the State as aforesaid for State purposes there may be levied and collected by the several towns and cities of the State from said telegraph company or companies, for the privilege of doing intrastate business within the municipal limits a privilege or license tax to be computed and based on the population of said cities, as fixed by the last Federal census, as follows, to-wit:

(b) In municipalities having a population of one thousand people, or less than this number, five dollars per annum.

(c) In municipalities having a population of one thousand and over, and not exceeding five thousand, twenty-five dollars per annum.

(d) In municipalities having a population of five thousand and over, and not exceeding ten thousand, fifty dollars per annum.

(e) In municipalities having a population of ten thousand and over, and not exceeding twenty-five thousand, one hundred dollars per annum.

(f) In municipalities having a population of twenty-five thousand, and over, and not exceeding fifty thousand, two hundred and fifty dollars per annum.

(g) In municipalities having a population exceeding fifty thousand, five hundred dollars per annum.

(h) The license or privilege taxes above provided, which shall be paid to the State and several towns and cities, according to population as above stated, shall be in lieu of all other license or privilege taxes required of said telegraph companies in this State, by any authority thereof, and shall be in lieu of all other

taxes of whatever nature, except franchise, income, and except ad valorem tax on tangible and intangible property of said company located in this State.

Amend House bill No. 383, schedule 106.

By striking out "Provided that whenever the municipal authorities shall authorize them to operate on Sundays, the license shall be double the amount as hereinabove set out."

Amend House bill No. 383, schedule 122,

By striking out the words "two hundred dollars" at the end of said section, and adding thereto the following:

"and not over one hundred thousand, two hundred dollars, "those having a capacity of more than one hundred thousand and not over one hundred and fifty thousand, three hundred dollars; those having a capacity of more than one hundred and fifty thousand and not more than two hundred thousand, four hundred dollars," and those having a capacity of more than two hundred thousand feet, five hundred dollars.

Amend House bill No. 383,

By striking out sections 423 and 423 $\frac{3}{4}$.

Amend schedule 96, of section 361, so as to read in the first three lines: "For each person engaged in the business of selling at retail non-alcoholic, carbonated or other soft drinks kept on hand and sold in bottles, shall pay an annual license of two and one-half dollars."

Amend section 2 by adding thereto the following:

"M." To encourage the operation of air nitrate plants, and in order to promote and encourage the manufacture of cheap air nitrogen containing fertilizers in this State; the buildings, works, machinery, appliances and appurtenances, and also the output or product of any air nitrate plant already built in this State and which may hereafter be owned or leased by any person, firm or corporation, shall be exempt from State, county and municipal taxation and license for a period of ten years. And all the capital stock or capital investment of any person, firm or corporation which may hereafter own or lease such plant or plants, shall likewise be exempt from all State, county and municipal taxation and license during said period of ten years; but this proviso shall not be construed to exempt from taxation any lands upon which said plant or plants is erected, or which may be used in connection therewith.

Amend H. 383 by adding the following words at the end of section 25:

"and also domestic building and loan associations are hereby exempt."

Amend House bill No. 383 by striking from said bill all that portion thereof coming after the words, "For the service required in the preceding section, when performed, the several tax collectors shall be entitled to the sum of two and one-half cents for each name so entered, to be paid out of the general fund of their respective counties, on the warrant of the judge of probate," in section 33, down to the words, "assessment of tax on tangible property of public utilities," just before section 157, and inserting in lieu thereof the following:

"TAX ASSESSORS.

"ELECTION, QUALIFICATIONS, AND COMPENSATION.—APPOINTMENT OF DEPUTIES.

Section 34. There shall be elected at the time, in the manner, and for the term provided by law, a tax assessor for each county in the State, who shall perform such duties as are prescribed by this act, or as may hereafter be provided by law, and whose term of office shall be four years, beginning on the first day of October next after his election.

Section 35. Before entering upon the discharge of the duties of his office, the tax assessor must execute in duplicate a bond in the sum of two thousand dollars in counties having a population of less than fifty thousand. In counties having more than fifty thousand population, the amount of such bond shall be five thousand dollars. Such bonds shall be payable to the State of Alabama, with sufficient sureties, to be approved by the judge of probate of the county, and conditioned faithfully to discharge the duties of his office, which are, or may be required by law during the time he continues, or discharges any of the duties thereof. One of such duplicates must be filed and recorded in the office of the judge of probate, and the other must be filed in the office of the State auditor, on or before September first after his election.

Section 36. He shall also, before entering upon the discharge of the duties of his office, file in the office of the judge of probate of his county an oath in writing that he will faithfully and diligently discharge all the duties which are, or may be imposed upon him by law, and such oath must also be recorded.

Section 37. The tax assessor shall, during the current term of the present incumbent of said office, be paid commissions as now provided by law. After the expiration of the current term of the present incumbent of the office of tax assessor, the tax assessor shall be entitled to receive from the tax collector, out of the first money collected by him, giving him duplicate receipts

therefor, one of which receipts shall be forwarded to the State auditor by the tax collector, the following commissions, to-wit: In counties where the collections do not exceed twelve thousand dollars, the rate of commission shall be eight per cent on the first thousand dollars; four per cent on the second thousand dollars, and two per cent on the remainder. In counties where the collections exceed twelve thousand dollars, the commissions shall be as above declared up to twelve thousand dollars, and one and one-half per cent on the remainder up to sixty thousand dollars, and on all above sixty thousand dollars, one per cent. He shall also be entitled to receive two per cent on all collections made by the tax collector on special taxes, whether such special taxes be levied for the State or county, to be paid out of such special taxes, except special county and district school taxes on which he shall receive one-half of one per cent.

Section 38. He shall not receive commissions on errors made in assessments, or abatements or deductions from assessments allowed the taxpayer, nor shall he, after the abstract book has been turned over to the tax collector, receive commissions on any assessment to which an objection by the taxpayer, regularly entered, may then be pending, until such obligation has been disposed of and the proper assessment ascertained and determined.

Section 39. For making the demand on the taxpayer for his list of property to be returned, and for each return of property to "owner unknown," to be charged to the taxpayer or property assessed and collected with the taxes, the assessor shall be entitled to fifty cents, to be entered upon the return and the assessment. But the assessor shall be entitled to only one demand fee against each taxpayer. For serving such subpoena for State witnesses or notice issued by order of the county supervisor of assessments, the tax assessor shall be entitled to receive twenty-five cents, to be taxed against the taxpayer and collected with the taxes, if the case made against such taxpayer be sustained, otherwise he shall receive no fees for the serving of such subpoena.

Section 40. The tax assessor is authorized to appoint deputies, and the acts of such deputies shall be recognized as his acts, and he shall be responsible for any loss sustained by any taxpayer, or by the State or county, by reason of any unlawful act done by any such deputies. Such deputies shall receive no compensation for their services out of the State or county revenue, except in cases otherwise provided by this act.

Section 41. It is the duty of the assessor to have printed, at the expense of the county, a sufficient number of assessment blanks in the form furnished and prepared by the State tax commission, and upon request of any taxpayer, the assessor shall

furnish him with a copy or copies for the use of such taxpayer in listing his property for taxation. Said blank when filled out and returned to the tax tasselssor shall be known as the "tax return." Upon demand of any person making a return of property for taxation, the assessor shall furnish him with a copy of such return.

Section 42. The return and listing of property for taxation by the tax assessor must commence on the first day of October in every year, and shall be furnished by him on the first day of January following; but the assessor may be allowed until the first Monday in February in each year to make a supplemental return or list of property which he may have failed to have returned or listed prior to the first day of January, and such supplemental return must be entered as any other return and shall be embraced in the abstracts made for the auditor and collector and State tax commission.

Section 43. Between the first day of October and the first day of January of each year, the tax assessor shall, in all counties having a population of one hundred thousand or less, visit each voting place in each precinct for the purpose of listing property for taxation, and he shall remain there one day in all country precincts and towns of less than one thousand inhabitants, from eight o'clock A. M. until four o'clock P. M. In towns other than county seats, of five thousand inhabitants or more, he shall remain at each place of appointment for one week, either by himself or deputy. In places of one thousand inhabitants and not over five thousand, he shall remain at the place of appointment for three days, either by himself or deputy. The assessor shall give at least ten days' notice by advertisement in a newspaper, if there be one published in the county, and by bill posted at five or more public places in each election precinct, of the time when and the place where he will attend to receive the tax returns. Upon the failure of the tax assessor to give the notice required by this section, or to attend any appointment made by him in any precinct, he shall, after legal notice, fill new appointments, or forfeit all claims to fees from such persons in such precinct as were disappointed by his non-attendance. In all counties having fifty thousand inhabitants or more, he shall keep his office open at the courthouse all the year round, and in all other counties, he shall keep his office open at the courthouse from the first day of October until the first day of May following, provided that the court of county commissioners, or court of like jurisdiction, may by order duly entered on its minutes as other orders and decrees of the court are entered, relieve the tax assessor from making the visits to each voting place in each precinct as above provided, when in the opinion of the court it is deemed advisable.

Section 44. It is the duty of every person in every election precinct to attend in person before the assessor on the first day of the appointment in the precinct of the taxpayer's residence, and then and there render to the assessor under oath a full and complete list of all property of which he was the owner, or in which he had any interest whatever, or of which he was trustee or agent on the first day of October of that year, and to enter upon such paper the amount of fire insurance carried upon any of the property so listed. The land and improvements thereon must be separately listed.

"On failure of the taxpayer, for thirty days after demand or notice by the tax assessor, to furnish a sufficient description of his real estate, said tax assessor shall secure such description by a survey of property by the county surveyor or otherwise, and the reasonable expenses incident thereto shall be added as costs to the taxes assessed against such taxpayer.

Section 45. When a taxpayer resides out of the county, or by reason of any infirmity or disability is unable to attend any of the appointments of the assessor, or is a woman, such taxpayer may send in his or her list, duly sworn to, by any other person, or by mail, postage prepaid, or such list may be rendered by an agent having knowledge of his or her taxable property, and such return shall show the amount of fire insurance carried upon any of the property so listed. The land and the improvements thereon must be separately listed. Any person who knowingly subscribes to a list of property which is false, is guilty of perjury.

Section 46. The tax assessor, or his deputy, or any other officer administering the oath to the person making return of property for taxation, must orally administer the following oath to every taxpayer before making his returns:

"You do solemnly swear that you will true answers make to all lawful questions which may be put to you touching the returns you are about to make, and that you will make a full and complete return of all property owned by you, or in which you had any interest whatever, or of which you were trustee or agent on the first day of October of the present tax year, and that you will make a full, complete and true statement of the amount of fire insurance thereon, and this return is made upon your personal knowledge, so help you God."

Section 47. After administering the foregoing oath, the assessor, his deputy or other officer shall particularly inquire of the said taxpayer as to the items of property and subjects of taxation owned by said taxpayer, and for which he is liable to be taxed, and property exempt from taxation, in order that he may elicit from said taxpayer a complete statement of the whole

amount and specified items of property, and subjects of taxation with which he should be charged for purposes of assessment and taxation, and the same shall be entered upon the proper blank, and the tax assessor, his deputy or other officer administering the oath, shall require the taxpayer to give an estimate of the value of each item of personal property for the information of the county supervisor of assessments, and the taxpayer shall, in making his returns, state how much fire insurance he carries on the improvements on his real estate, and how much fire insurance he carries on his personal property, but nothing in this act shall be construed as requiring the taxpayer to make oath as to the value of the property. Each taxpayer shall give to the assessor his occupation and postoffice address.

Section 48. Each person making return of property for assessment shall, after the same shall have been listed and the amount of fire insurance carried thereon stated, make and subscribe to the following oath, which shall be printed or written at the bottom of the assessment sheet, and which may be administered by the tax assessor, his deputy, or any other officer authorized by law to administer oaths:

"I do solemnly swear that the foregoing list of property returned by me (if not his own property, here state the capacity in which he returns such property for assessment) is a full and complete return of all the property owned by (here state "me" if the property returned is his own property, and if not his own property, state the name of the person, corporation or estate for whom the property is returned), or in which (here designating the owner for whom return is made) had any interest whatever, the situs of which for taxation, or exemption from taxation, is in this county, on the first of October of the present tax year, and that the statement of the amount of fire insurance carried thereon is correct, to my personal knowledge, and of the improvements on lands listed in the foregoing schedule, so help me God."

(Person giving in list will sign here.)

Subscribed and sworn to before me this the.....day of
.....19.....

(Officer will sign here.)

(Give name and style of office here.)

Section 49. The person giving in such property for taxation shall enter upon said list his estimated value of every item of personal property listed, for the information of the county supervisor of assessments, but nothing in this act shall be considered as requiring the taxpayer to make oath as to the value

of the property. Every person shall enter upon the assessment list his occupation and postoffice address.

Section 50. The description of real estate may be as follows:

1. If it is an entire section, it may be described by the number of the section, township and range.
2. If it is a subdivision of a section, authorized by the United States for the sale of public lands, it may be described by a designation of such subdivision, with the number of the section, township and range.
3. If it is less or other than a subdivision, it may be described by metes and bounds, or in some way by which it may be known.
4. If it is in a city, town or village, surveyed and laid off, and a plat thereof is recorded in the office of the judge of probate of the county, or if a plat is accessible, and if it is as a whole lot or block, it shall be described by the designation of the number thereof, and if it is in a part of a whole lot or block, it may be described by metes and bounds, or in some other way by which it may be known, and it shall not be necessary to insert the quantity of such land in the assessment.
- If it is a tract of which the subdivision is not known to the assessor, it may be described by metes and bounds, or in some other way prescribed by the State tax commission by which it may be known or identified.
6. It shall be sufficient to describe lands to be assessed or sold for taxes by initials, abbreviations and figures.
7. Mineral and timber interests, when they have been severed in ownership from the soil by sale, or otherwise, shall be separately returned for assessment.
8. If the surface right only is assessed for taxation, the description of the land may be preceded or followed by the letters S. R., and if the mineral interest only is assessed, the description of the land may be preceded or followed by the letters M. R.

Section 51. The property of every minor shall be listed by his guardian, if he has one; if he has no guardian, by his father, if living; if the father is dead, by his mother, if living. If the mother is also dead or married, by the person having it in charge; of the wife, by the husband, if living and sane, and the parties reside together; if the husband is dead or insane, or he is not living with his wife, by the wife; of any person for whose benefit the property is held in trust, by the trustee; of every deceased person, by the executor or administrator; of those whose property is in the hands of receivers, by such receivers; of every firm, or body corporate, by the partner, president, principal officer, or agent thereof; property in the hands or custody of any public officer or appointee of a court, by such officer or appointee; of those absent or unknown, by their agents; or by the person having it in charge; of insane or idiotic persons of full age, by their

guardians, if they have any; if they have no guardian, by the person having it in charge; of the lessors of real property, by such lessors; and all persons herein required to list property for others shall list it separately from their own, and in the name of the owner thereof.

Section 52. After the thirty-first day of December in each year, the assessor shall in person, or by deputy, make a demand upon all taxpayers who have failed to make returns to him, for a list of their taxable property, and such demand may be made by written notice left with the taxpayer at his residence or place of business, or sent postpaid by registered mail, with return receipt demanded, to the taxpayer's last known place of residence, and it shall be the duty of such taxpayer to return such lists to the assessor by the first Monday in February following. For making this demand the tax assessor shall be entitled to a fee of fifty cents to be paid by the taxpayer, which shall be added to his tax list, and collected with the tax.

Section 53. Every person of full age and sound mind, and every firm and body corporate or politic, shall, when legally called on by the assessor, forthwith make a full, true and distinct statement of all real and personal property, with a correct description thereof, of land and improvements separately, of which he is the owner or holder, individually or as guardian, parent, husband, trustee, administrator, executor, receiver, accounting officer, partner, agent or factor, and including all moneys hoarded, held or owned on the first day of October of the current tax year, except moneys on deposit in bank, and except as herein otherwise prescribed.

Section 54. It shall be a misdemeanor for any taxpayer, or attorney, or agent of any taxpayer having authority to make returns, to fail, neglect or refuse on demand of the tax assessor to fill out or have filled out the schedule or list herein provided for, or to fail to give the information herein provided for, or to fail, refuse, or neglect to take and subscribe to the oath or affirmation required to such schedules, or to fail to return the same to the assessor as prescribed by law.

Section 55. When any person, or any company, corporation or association, existing under the laws of this State, or under the laws of any other State or country, doing business in this State, is required to make to the assessor returns of the gross or net receipts, premiums or commissions of such business, and such returns are not made within the time required by law, but shall remain in default for the space of ten days thereafter, the assessor, after notice to the party required to make such returns, or if he is absent from the county, without notice, shall upon the

best information he can obtain list and make up such returns upon the proper blank, describing the property to be assessed, as other items of property are described, noting thereon the failure of the owner after notice to make such return, and the accrual of a penalty of ten per cent of the value to be assessed thereon.

Section 56. Such lists of property returned for taxation shall be, by the assessor delivered to the county supervisor of assessments not later than the second Monday in January, and all supplemental returns shall be delivered to the said supervisor ~~from time to time, as rapidly as is practicable,~~ but in no event later than the third Monday in February, and all other returns as soon thereafter as practicable.

Section 57. Having failed to procure upon verbal or written demand, from any delinquent his list of taxable property, before the first Monday in February, the assessor shall ascertain from inquiry, or otherwise, the property and other subjects of taxation upon which such person is liable to be taxed, and shall list and make return thereof upon the proper blank, and note upon such return the failure of the owner after notice to make such return, and the accrual of a penalty of ten per cent of the value to be assessed thereon, and deliver the same with other returns to the county supervisor of assessments.

Section 58. Whenever the tax assessor shall discover that any property has escaped taxation in any assessment within five years next preceding, he shall list and return said property for taxation for the years during which the same has escaped, and shall also endorse on such returns the year or years for which the property has escaped taxation, and the accrual of a penalty of ten per cent of the value to be assessed for each year, and deliver the same with other returns to the county supervisor of assessments.

Section 59. No penalties assessed against any property owner or his property for failure to return property for taxation shall be remitted except by order of the county supervisor of assessments, upon proof that the delinquent taxpayer was absent from the State, and had no resident agent therein during the time for making returns of property for taxation, or when such taxpayer labors under the disabilities of minority, or is a lunatic, or upon proof made that he was unable by reason of sickness to make returns in time required by law.

Section 60. It shall be the duty of the judges of probate, registers in chancery, and clerks of the circuit court and city courts, or the clerks of other courts of record in this State, to notify the tax assessor of each county of the appointment of every administrator, executor, guardian, trustee, accounting officer or receiver, within five days after such appointment.

Section 61. Whenever the tax assessor knows or learns of any property subject to taxation in his county, the owner of which he does not know, and which is not embraced in any return made to him prior to the first Monday of February, by any taxpayer, he shall list and make up on the proper blanks a return describing said property according to the best information he can obtain, and list the same to "owner unknown," and in any notice or advertisement or motion for a decree of sale, it shall be described as so returned, and he shall also note the failure of the owner to make such return, and shall also note the accrual of a penalty of ten per cent of the value to be assessed thereon, and deliver the same with other returns, to the county supervisor of assessments. No lands shall be returned to "owner unknown" until the assessor shall have made a demand upon the person, if resident in the county, or by registered mail, if a non-resident, whose address is known, to whom such lands or property were last assessed, in the event said lands or property have been assessed, and the said assessor shall make diligent inquiry to ascertain the name of the owner of said lands or other property. Any assessor or deputy assessor who fails to comply with the requirements of this section shall be guilty of a misdemeanor.

Section 62. The assessor shall be entitled to the same fees for making returns of property which has escaped taxation as for making returns of property after a demand made by him on the taxpayer. In case of lands lying in one body, other than lands platted and subdivided into lots, the return shall be made on said lands as a whole, unless the assessor has reason to believe that they belong to different owners, in which case when lands lying in one body and supposed to belong to the same owner, must be included in one return, and no fee shall be allowed the assessor for any return made in disregard of this provision, but the assessment of any such property thereafter made shall not for that reason be invalid.

Section 63. The assessor must make and enter in an assessment book, suitably ruled and substantially bound, a condensed statement of all assessments made during each tax year, showing in separate columns the name of the owner, a description of the real estate and improvements thereon, the assessed value thereof, and value of the personal property assessed for taxation; and the assessor shall compute and enter opposite the name of each taxpayer the aggregate amount of State, county and special taxes with which such taxpayer is charged. When the county supervisor of assessments has completed his hearing of objections to assessments, the tax assessor shall complete the said book by making the proper entries therein, and foot up at the bottom of

each page the aggregate amount of such taxes, and show in conclusion the aggregate of all such taxes. Where appeals have been taken to the district tax court, this fact must be stated.

Provided that in all counties which may now have or which may hereafter have property, the assessed valuation of which amounts to one hundred million dollars, the assessor shall not be required to prepare a book of assessments as provided for in this section, but in lieu thereof shall be required to arrange in alphabetical order original assessment lists, and cause the same to be permanently bound, and such assessment lists when bound shall constitute the book of assessments as herein provided, and the certificate of the tax assessor provided for in the next section, shall be entered upon each of said bound volumes of assessments. Such assessment lists when bound shall be preserved permanently as a matter of record, and provided further that in making the tax collector's abstracts such abstracts shall be made direct from the assessment lists.

Section 64. After the book of assessments has been completed as herein provided, the county supervisor of assessments shall certify on the book of assessments that the same has been examined and corrected by him by comparing the book of assessments with the tax returns, both as to items of property and amounts of assessments, and approved by him, and that the amount of State tax is \$..... (here give amount), the amount of county tax is \$..... (here give amount), the amount of special taxes is \$..... (here give amount), specifying the total amount of each of such taxes, and such certificate is to be the warrant to the collector of the county to proceed to collect such taxes in the manner directed by law.

Section 65. When the book of assessments has been completed, as herein provided, the county tax assessor must without delay make out in triplicate upon forms to be furnished by the State auditor, a complete abstract of all real and personal property as contained in the assessment book of his county, showing the total amount and value of each class of taxable property, and property exempt from taxation, and the amount of tax on each item, extended in a column; such abstract of assessment must be approved and certified to by the county supervisor of assessments, one of which the said tax assessor must forward to the State auditor not later than the first day of October, of each year, one to the State tax commission, and the other he must deliver to the tax collector by said date. The State auditor shall report to the governor any tax assessor who for ten days after the date required has failed to forward to the State auditor the abstract of assessment of his county, and the governor shall

forthwith require of such tax assessor an official report of the cause of such failure.

Section 66. After the book of assessments has been completed as herein provided, the tax assessor must enter in a book, in concise form, the amount of taxes assessed against each taxpayer, showing separately the amount of taxes on real estate and personal property and other subjects of taxation, and the fees of the assessor, with a blank for the fees of the collector; and such book he must turn over to the tax collector on or before the fifteenth day of September.

For the services rendered by him in preparation of such book, he shall receive compensation to be allowed by the court of county commissioners as follows, viz:—In counties where the aggregate assessed value of real and personal property amounts to two million dollars, or less, seventy-five dollars; when the assessed values amount to more than two million, and not exceeding four million dollars, one hundred dollars; when the assessed values amount to more than four million and not exceeding six million dollars, one hundred and twenty-five dollars; when the assessed values amount to more than six million and not exceeding eight million dollars, one hundred and fifty dollars; and when the assessed values amount to more than eight million dollars, such compensation as may be fixed by the court of county commissioners, not less than two hundred and not exceeding three hundred dollars; but any tax assessor who fails to complete such abstract by the time required shall forfeit all right to compensation.

Section 6. It is the duty of the tax assessor of every county in this State to procure at the expense of the county a book in the form to be prescribed by the State Tax Commission, in which he shall enter a complete map and list of all the blocks and lots which have been platted, and the map of which are recorded in the office of the judge of probate or can be procured within his county, beginning with the lowest numbered block and lot and proceeding in numerical order to the highest, with the name of the owner set opposite each block and lot. Each subdivision or addition to any town or city shall be shown by proper headings at the top of each page of such lot book, and by an index in the front thereof, provided that if such plat books have already been made, the assessor shall annually make the entries thereon without compensation.

Section 68. The tax assessor shall make, or cause to be made, a complete plat book or books of all real estate in his county, unless such book or books have already been provided, in a form to be prescribed by the State tax commission, in which the name of the owner shall be entered on each separate subdivision, to-

gether with the assessed value thereof. The court of county commissioners, or court of like jurisdiction, shall pay out of the general fund of the county, for making out of the plat books required by this and the preceding section, a reasonable amount of money as compensation to the person making out such book or books.

Section 69. The tax assessor shall each year before the first day of October in such year, revise the plat books provided for by sections 67 and 68 of this act, so as to correspond with the tax returns and values for such year, and as otherwise provided by law, or by the order of the State tax commission.

Section 70. In the event the tax assessor shall fail to comply with the requirements of sections 67, 68 and 69 of this act, in any years, he shall forfeit to the State of Alabama the sum of five hundred dollars, which may be collected by the State by suit upon his official bond.

Section 71. Such maps and plat books shall be kept in the office of the tax assessor, open to the inspection of the public at all times when not in use by the assessor or the county supervisor of assessments; provided that in those counties where the office of the tax assessor is not kept open for the entire year, said records shall, when the office of the tax assessor is closed, be deposited in the office of the judge of probate of the county.

Section 72. It shall be the duty of the court of county commissioners or other court of like jurisdiction, at the regular February term in each year, to levy the amount of general taxes required for the expenses of the county for the current year, not to exceed one-half of one percent of the value of the taxable property as assessed for revenue for the State as shown by the book of assessments after it shall have been corrected, and at the same time levy the amount of special taxes required for the county for the current year, not to exceed one-fourth of one percent, which levy shall be made upon the same basis of valuation provided above and when such levy shall be made, to certify the rate or rates of taxation, and the purpose or purposes for which the tax is levied to the tax assessor of the county.

Section 73. Except in cases where license or privilege taxes are to be paid monthly, the tax assessor shall on or before the tenth day of January of each year, prepare and deliver to the judge of probate a list of all taxpayers who are liable to pay a privilege or license tax to the State, and who shall have made returns of their property for taxation before January 1st, and shall also on or before the tenth day of March of each year, prepare and deliver to the judge of probate a supplemental list of all persons liable to pay a privilege or license tax, who have made

return of their property for taxes, or who have been returned as escapes or delinquents since the making of the first list by the assessor.

Section 74. When the assessor has reason to believe that any person who has been assessed is about to leave the county, he shall at once notify the tax collector, in writing, and on his failure to do so, he shall be liable for the full amount of the taxes due, or to become due on such assessment.

COUNTY SUPERVISOR OF ASSESSMENTS.

Section 75. There is hereby created in each county in this State the office of county supervisor of assessments, the incumbent of which shall be over thirty years of age, a resident of such county, who shall be appointed as hereinafter provided for a term to expire on the first day of October, 1923, after which the term shall expire on the first day of October every four years thereafter, the term of office being for four years.

Section 76. The incumbent of such office shall be known as county supervisor of assessments. Within thirty days after this act goes into effect the governor shall appoint the incumbent of such office, whose term of office shall expire on the first day of October, 1923, and thereafter the successors of such incumbent shall, in like manner, be appointed for a term of four years to end on the first day of October of each fourth year, thereafter, 1923. Each incumbent shall hold, however, until his successor is appointed and commissioned.

Section 77. Such county supervisor of assessments shall be selected with a view to his fitness for the performance of the duties of said office, and his selection shall be limited to no profession, occupation, or calling, but such county supervisor of assessments shall not hold any other office of profit under this State, or any other State, or of the United States, or of any political division of this State, or of any other State or of the United States.

Section 78. Such county supervisor of assessments, before entering upon the duties of his office, must execute in duplicate a bond in the sum of two thousand dollars in counties having a population of less than fifty thousand inhabitants; and in counties having a population of fifty thousand or more, the amount of such bond shall be five thousand dollars. Such bond shall be payable to the State of Alabama, with sufficient sureties, to be approved by the judge of probate of the county, and conditioned faithfully to discharge the duties of his office, which are, or may be required by law during the time he continues therein, or discharges any of the duties thereof. One of such duplicates must

be filed and recorded in the office of the judge of probate, and the other must be filed in the office of the State auditor, before entering upon the discharge of the duties of his office.

Section 79. Said county supervisor of assessments before entering upon his duties, in addition to taking the regular oath of office now prescribed by the laws of the State of Alabama, shall take and subscribe to the following oath:

"I do solemnly swear that I am over thirty years of age, a qualified elector and resident of (here give the name of county), of the State of Alabama, that I will faithfully and honestly discharge the duties of county supervisor of assessments, and that I will fix the valuation of all property listed for taxation or submitted to me for valuation, at sixty percent of its reasonable cast value, to the best of my judgment and ability, so help me God."

Such oath may be administered by any officer of the State authorized under the laws of the State to administer oaths, and shall be filed and recorded in the office of the State tax commission.

Section 80. That any vacancy in the office of county supervisor of assessments by death, resignation, or removal from office shall be filled in the same manner as the original appointment and for the unexpired term only.

Section 81. That the State tax commission shall have the power to remove such county supervisor of assessments from office whenever in the judgment of a majority of the members of said commission such removal will best subserve the interests of the State of Alabama.

Section 82. That the compensation of such county supervisor of assessments shall be as follows:

In counties having an assessment of more than \$175,000,000, according to the last preceding assessment, four thousand, four hundred dollars per annum.

In counties having an assessment of more than \$100,000,000 and not more than \$175,000,000, according to the last preceding assessment, four thousand dollars per annum.

In counties having an assessment of more than \$36,000,000 and not more than \$100,000,000, according to the last preceding assessment, three thousand, four hundred dollars per annum.

In counties having an assessment of more than \$15,000,000 and not more than \$36,000,000, according to the last preceding assessment, two thousand, eight hundred dollars per annum.

In counties having an assessment of more than \$11,000,000 and not more than \$15,000,000, according to the last preceding assessment, two thousand, two hundred dollars per annum.

In counties having an assessment of more than \$8,000,000 and not more than \$11,000,000, according to the last preceding assessment, one thousand, eight hundred dollars per annum.

In counties having an assessment of more than \$5,000,000 and not more than \$8,000,000, according to the last preceding assessment, one thousand, six hundred dollars per annum.

In counties having an assessment of more than \$4,500,000 and not more than \$5,000,000, according to the last preceding assessment, one thousand, four hundred dollars per annum.

In counties having an assessment of \$4,500,000 or less, according to the last preceding assessment, one thousand, two hundred dollars per annum.

That said salaries shall be paid monthly—one-half by the State on the warrant of the State auditor, and one-half by the county, out of the general funds of the county, on the warrant of the court of county commissioners or other court of like jurisdiction, and the same shall be a preferred claim against the funds of said county.

Section 83. That immediately after the first Monday in October of each year such county supervisor of assessments shall begin the valuation and equalization of all taxable property in the county for which he was appointed for the assessment of taxes to be levied thereon during the current fiscal year. The valuations of all property listed for taxes shall be entered by such county supervisor of assessments upon the tax lists as returned by the taxpayer, or as otherwise listed for taxes. The valuation of all real property as fixed by the county supervisor of assessments upon the tax lists shall be entered by the tax assessor upon the land and lot books of the county, which books shall be substantially bound and suitably ruled so that the description of real estate, the name of the owner, and the valuation of the real estate and improvements, as fixed by the county supervisor of assessments, or as fixed by the district tax court, or otherwise, may be shown thereon, and said books shall be so ruled that they will form a record for future reference. The form of such land and lot books shall be prescribed by the State tax commission, and such commission shall, after thirty days' notice by advertisement once a week for four successive weeks in one daily newspaper published in Birmingham, one published in Montgomery, and one published in Mobile, award a contract to the lowest responsible bidder, who shall agree to furnish said books of the quality, in the form and within the time stipulated by the State tax commission, to all counties of the State. The cost of said books shall be paid by the respective counties upon the certificate of the State tax commission.

Section 84. Whenever any assessment of real property shall have been made by the county tax assessor, the supervisor of assessments, after personal inspection thereof, or the value fixed by the district tax court, or the State tax commission, the value thus fixed shall be and remain the taxable value of such property for a period of two years dating from the first day of October preceding, and the county supervisor of assessments shall not be required to again view, inspect, value and equalize the same during such two-year period, unless a revaluation and equalization shall be made by order and direction of the State tax commission, ~~in which event the valuation thus fixed shall be and remain~~ the taxable value of said property until the next biennial period of assessment, or unless there shall be a change in the value of such real property, or the buildings, structures or improvements thereon caused either by the destruction of or damage to said buildings, or by the erection or construction of new buildings, structures or improvements, or by the removal of minerals from said lands, or by the removal of trupertine from the timber on said lands, or by cutting the timber therefrom, in which event the assessment shall be increased or reduced by the county supervisor of assessments to the extent only of the increase or reduction in the value of such real property by reason of the changes above named.

Section 85. The county supervisor of assessments shall visit, inspect, examine, equalize and value each piece and parcel of real property in the county, and after such inspection and examination thereof shall cause to be recorded upon the land and lot books sixty per cent of the reasonable cash value of such real property. Where the land is assessed as acreage, the valuation shall be fixed for each forty acres or fraction thereof, and when real estate has been platted and divided into lots it shall not thereafter be assessed as acreage, but each lot shall be assessed. The said county supervisor of assessments shall also, as far as practicable, view, inspect, value and equalize all taxable property, other than real estate, shown by the tax returns and enter thereon sixty per cent of the reasonable cash value thereof. Said county supervisor of assessments may issue subpoenas to witnesses and may require the owner, occupant, or person in possession of such property to give him any information in his knowledge with regard to such property, the amount of rents, income and profits therefrom, and the county supervisor of assessments may require the production for inspection of all fire insurance policies on the improvements, if real estate, or on personal property, for the current or preceding year.

The county supervisor of assessments is hereby authorized and empowered, by and with the consent of the State tax com-

mission, to employ such expert assistant as said county supervisor of assessments may deem necessary for the proper valuation of the property of the county. Such expert assistants so employed shall receive such compensation as shall be agreed upon by the State tax commission, which compensation shall be paid out of the appropriation of the State tax commission.

Section 86. The county supervisor of assessments shall annually fix the value of all taxable property, other than real property, as shown by the assessment lists, and such values shall be entered thereon by the county supervisor of assessments. The values so fixed by the county supervisor of assessments and returned to the tax assessor shall be the taxable value of the property so valued and equalized by him, provided that in the event the value of real and personal property of any taxpayer is increased by the county supervisor of assessments over the assessed value thereof for the preceding year, the taxpayer shall be furnished by registered mail or in person with a statement showing separately the value of his personal property and his real property, and also that the county supervisor of assessments will sit to hear objections to the valuations and to correct errors on the first Monday in June, which notice shall be given on or before the last Monday in May. But failure to receive or give such notice shall not invalidate such assessment. The expense of postage incurred by the tax assessor in carrying out the provisions of this section shall be paid in equal proportions by the county and the State, upon a certified statement thereof by such tax assessor, filed with the court of county commissioners, or other board or court of like jurisdiction, and with the auditor of the State of Alabama.

Section 87. It shall be the duty of the county supervisors of assessments to carefully examine and inspect all tax returns and assessments delivered to him by the county tax assessor, and if he finds that any taxpayer has neglected to make a return, or has omitted from his return any property that should be returned, it shall be his duty to make up a return upon the proper blank, with a description of the property to be assessed, which property he shall then proceed to value and equalize in the same manner as other property is valued and equalized by him, and to the value placed thereon by the county supervisor of assessments shall be added a penalty of ten percent for the failure of the owner of such property to properly return the same.

Section 88. When the county supervisor of assessments shall have completed his work of valuing and equalizing property subject to taxation in his county, and such valuations shall have been entered upon the assessment lists, which shall not be later than

the first Monday in May, 1920, and the first Monday in May of each year thereafter, he shall certify over his signature to the correctness of the tax returns, showing the valuation fixed by him, and shall deliver them to the tax assessor of the county as his report, and the tax assessor shall hold them in his office open to public inspection. The tax assessor shall then give notice by publication once a week for three consecutive weeks in a newspaper published in the county, and if no newspaper is published in the county, by posting notice in at least three public places in each precinct of the county, that the county supervisor of assessments ~~has returned his report and that the same is open to~~ inspection, and that the said county supervisor of assessments will sit at the courthouse in the county, beginning on the first Monday in June, to correct any errors in the assessments or valuations, and it shall be the duty of the county supervisor of assessments to see that such notice is given.

Section 89. For the purpose of hearing objections, if any, to assessments or valuations, fixed by the county supervisor of assessments, the said county supervisor of assessments shall sit at the courthouse in his respective county on the first Monday in June in each year, from 9 A. M. to 4 P. M., and shall continue for at least one week, and as much longer as may be necessary, provided he does not sit beyond the second Monday in July, unless otherwise ordered by the State tax commission, and provided further that where there is more than one courthouse in the county, the time for such sitting shall as nearly as practicable be equally divided between the respective courthouses thereof. At such sitting the property owner may appear in person, or by agent or attorney, and make his objection to any assessment or valuation theretofore made by the said county supervisor of assessments, and may produce evidence in support thereof, and it shall be the duty of the county supervisor of assessments to examine under oath any complaining property owner, and to examine any other witnesses under oath as to the reasonable cash value of the property of such owner, and if it is found from the evidence that the valuation theretofore placed by the said county supervisor of assessments was not sixty percent of the reasonable cash value of such property, whether more or less, then he shall correct the valuation or assessment, so that it will show sixty percent of the reasonable cash value and such corrected amount shall constitute the taxable value of said property. But if said county supervisor of assessments shall find from the evidence that the valuation placed on the property was sixty percent of the reasonable cash value thereof, then said valuation shall stand as the taxable value of said property, unless an appeal is taken therefrom to the district tax court, as provided by this act.

Section 90. When the county supervisor of assessments shall have completed the work of hearing objections against valuations fixed by him on the taxable property, he shall enter upon the tax return lists his corrected valuations, if any changes have been made therein, and shall deliver the same to the tax assessor of the county, which changed or altered valuations shall be the taxable value of the property or properties, unless an appeal is taken to the district tax court, or unless otherwise ordered by the State tax commission.

Section 91. The county supervisor of assessments, in the performance of his duties under the provisions of this act, shall have the same power and authority heretofore vested in county boards of equalization. Said county boards of equalization are hereby abolished.

Section 92. The county supervisor of assessments shall have and exercise exclusive right, each in his respective county, to fix the taxable value of all property therein not specifically required to be assessed otherwise, subject only to the right of appeal to the district tax court, except as otherwise provided by this act.

Section 93. Nothing herein shall be construed to require the county supervisor of assessments to value railroad property, telegraph and telephone lines, or any other property required by this act to be assessed by the State tax commission.

Section 94. The failure of the county supervisor of assessments to perform any of his duties at the time prescribed, or to complete his duties within the time specified by this act, shall not invalidate any assessment or any act of his made or done after the expiration of such time. The duty of the county supervisor of assessments to visit, inspect and examine each piece and parcel of real property in his county is directory and failure to do so shall not invalidate the assessments made by him.

Section 95. Whenever under the provisions of this act any notice, subpoena, or writing is required to be given or served, the same may be served by any sheriff in this State, or his deputy,—or by any lawful constable, or any tax assessor of this State, except as hereinafter provided.

Section 96. The county supervisor of assessments shall assess the income tax and excess profits tax of each person and corporation assessable in his county, subject to the supervision of the State income tax supervisor, and under the rules and regulations prescribed by him, except the income tax and excess profits tax assessable against persons and corporations whose *ad valorem* taxes are by this act to be assessed by the State tax commission.

Section 97. The county supervisor of assessments shall either alone or with counsel represent the State and county in all cases pending before the district tax court of his county.

Section 98. The county supervisor of assessments shall assess the taxes against each auctioneer, as provided by subdivision J, of section 5, of this act, and shall return such assessment immediately to the tax assessor, who shall enter the same upon his books as in cases of other assessment, and such assessor shall immediately make a statement of such assessment and deliver the same to the tax collector for collection. Such taxes become assessable and payable immediately upon the expiration of each such action sale.

DISTRICT TAX COURT.

Section 99. There is hereby created in each county in this State a court to be known as the "district tax court," to be composed of one presiding judge and two associate judges, one of whom shall be appointed in each county in this State, as hereinafter provided. Each judge shall be presiding judge of the court in his county, and the other two judges of the district shall be associate judges of the court of such county. Such appointment shall be made within sixty days after the passage of this act, and the term of office of the judges so appointed shall begin on the date of issuance of a commission to each of them by the secretary of State, and shall expire on the first day of October, 1923. Upon the expiration of the term of office of the judges so appointed, their successors shall in like manner be appointed for a term of four years and thereafter the judges of such district tax courts shall likewise be appointed for a term of four years. In the case of a vacancy in the judgeship of any district tax court caused at any time by death, resignation, removal or otherwise, the vacancy so caused shall be filled by appointment in the same manner for the unexpired term.

Sec. 99½. The circuit judge shall appoint the member of the "district tax court" for such county in his judicial circuit, and in counties or circuits having more than one circuit judge such appointments shall be made by the joint action of the two or more circuit judges. In the event said circuit judge or judges shall fail for sixty days to make such appointment, then the same shall be made by the governor.

Section 100. That the State is hereby divided into twenty-two tax court districts to be composed of counties as follows:

First District—Counties of Lauderdale, Colbert and Franklin.

Second District—Counties of Limestone, Morgan and Lawrence.

Third District—Counties of Madison, Marshall and Jackson.

Fourth District—Counties of Marion, Lamar and Fayette.

Fifth District—Counties of Winston, Walker and Cullman.

Sixth District—Counties of Jefferson, Blount and St. Clair.

Seventh District—Counties of DeKalb, Cherokee and Etowah.

Eighth District—Counties of Calhoun, Cleburne and Talladega.

Ninth District—Counties of Pickens, Tuscaloosa and Bibb.

Tenth District—Counties of Shelby, Chilton and Elmore.

Eleventh District—Counties of Clay, Coosa and Tallapoosa.

Twelfth District—Counties of Randolph, Chambers and Lee.

Thirteenth District—Counties of Sumter, Greene and Hale.

Fourteenth District—Counties of Perry, Dallas and Marengo.

Fifteenth District—Counties of Autauga, Lowndes and Montgomery.

Sixteenth District—Counties of Macon, Bullock and Russell.

Seventeenth District—Counties of Choctaw, Washington and Clarke.

Eighteenth District—Counties of Wilcox, Conecuh and Monroe.

Nineteenth District—Counties of Baldwin, Escambia and Mobile.

Twentieth District—Counties of Butler, Crenshaw and Covington.

Twenty-first District—Counties of Pike, Coffee and Geneva.

Twenty-second District—Counties of Barbour, Dale, Henry and Houston.

Section 101. That, except when otherwise provided, the district tax court in each county shall be held at the courthouse thereof, but where there are two courthouses in a county, the term of court shall be equally divided between said two courthouses.

Section 102. The district tax court shall be held in each of the counties of Franklin, Lawrence, Marshall, Marion, Winston, St. Clair, DeKalb, Cleburne, Pickens, Shelby, Clay, Randolph, Sumter, Perry, Lowndes, Russell, Choctaw, Wilcox, Escambia, Crenshaw, Geneva, and Barbour beginning on the fourth Monday in July in each year, and may continue one week.

Section 103. The district tax court shall be held in each of the counties of Lauderdale, Limestone, Jackson, Lamar, Cullman, Blount, Cherokee, Talladega, Bibb, Chilton, Coosa, Chambers, Greene, Marengo, Autauga, Bullock, Washington, Conecuh, Baldwin, Covington, Coffee and Dale, beginning on the first Mon-

day after the fourth Monday in July of each year, and may continue one week.

Section 104. The district tax court shall be held in each of the counties of Colbert, Morgan, Madison, Fayette, Walker, Jefferson, Etowah, Calhoun, Tuscaloosa, Elmore, Tallapoosa, Lee, Hale, Dallas, Montgomery, Macon, Clarke, Monroe, Mobile, Butler and Pike, beginning on the second Monday after the fourth Monday in July of each year, and may continue two weeks.

Section 105. The district tax court in the county of Henry shall be held on the second Monday after the fourth Monday in July of each year, and may continue one week.

Section 106. The district tax court shall be held in the county of Houston, beginning on the third Monday after the fourth Monday in July of each year, and may continue two weeks.

Section 106½. No session of the district tax court shall be held unless there has been notice given to it of appeals as provided by law.

Section 107. Whenever the business of the court shall for any reason be not disposed of in my county during the regular term provided by this act, the presiding judge of such court shall, at the termination of such regular term, by order signed by him and entered on the minutes of such court, direct said court to be reconvened at such date as he may designate in such order, which shall not be less than thirty days from the date of the expiration of such regular term, and such special term may continue until the business before it is disposed of. The clerk of such court shall immediately after the making of such order, or as soon thereafter as practicable, give notice in writing, sent by registered mail with return receipt demanded, to each defendant in cases undisposed of on the docket of said court, of the time and place of holding said special term of court, and shall also give notice of the time and place of holding such special term of court by publication once in a newspaper published in the county, and if no newspaper is published in the county, then by posting a written notice thereof at the courthouse door where said court is to be held.

Section 108. That said district tax court shall have exclusive jurisdiction of all cases involving the proper valuation of any and every kind of property, and the amount of taxable income and excess profits, for taxation which may be appealed from the valuation or amount fixed thereon by the county supervisor of assessments; provided that the judges of each of said district tax courts shall have authority to adopt such rules of practice and procedure, not inconsistent with this act, as in their opinion may be necessary for the proper administration of the duties of said court.

Section 109. The district tax court in each county shall be a court of record, and the tax assessor of such county shall be ex-officio the clerk of such court, and shall keep the records of such court.

Section 110. The clerk of the district tax court shall have authority, first, to administer oaths and take affidavits in all cases coming before said court; second, to appoint deputies with full power to transact all business of such clerk, such deputies first taking an oath to support the Constitution and the laws of this State, and faithfully to discharge the duties of deputy clerk of the court for which they act; third, to exercise such powers as are or may be conferred on them by law.

Section 111. That it shall be the duty of the clerk of the district tax court, first, to sign and issue all summons, subpoenas, writs and other processes under the authority of the court; second, to keep a trial docket of all cases appealed from the valuation fixed by the county supervisor of assessments, in which must be entered all cases standing for trial at each term in the order in which they are brought, the name of the attorneys employed, if any, and what orders have been made in each cause, at any previous term; third, to keep a book in which must be entered the minutes of each day's proceedings during the term of court, in the order and form in which they are made or rendered; fourth, to keep a book upon which a final record of all pleadings filed in said court shall be made by such clerk; fifth, to keep all papers, books, dockets and records belonging to the office with care and security, the papers filed, arranged, numbered and labeled so as to be of easy reference, and the books, dockets and records properly lettered, and to allow parties to inspect the records free of charge; sixth, to attend court during the sessions thereof, with all papers belonging to the term so filled as to be of easy reference, and to administer all oaths and take all affidavits in relation to the causes or proceedings pending therein; seventh, to make out and deliver, on application and payment of the regular fees, fifteen cents per hundred words, therefor, to any person applying for same, a correct transcript properly certified, of any paper or record in the office.

Section 112. The court of county commissioners, or other court of like jurisdiction, must allow to the clerk of the district tax court in his county the amount properly expended by him for books and stationery, and other supplies and equipment necessary for the use of his office.

Section 113. That the judge of such courts shall be subject to impeachment upon the same grounds and in the same manner that circuit court judges may now be impeached.

Section 114. That in cases where objection has been made by any taxpayer, his agent or attorney, to the valuation fixed by the county supervisor of assessments on any property assessed against such taxpayer, and such valuation is overruled by said county supervisor of assessments, such taxpayer, his agent or attorney, may take an appeal from the action of the county supervisor of assessments in overruling his objection to such valuation to the district tax court of such county.

Section 115. Each of the judges of said district tax court ~~shall be a man of known integrity~~, selected with a view to his fitness for the performance of the duties of said office, ~~and his selection shall be limited to no profession, occupation or calling,~~ and he shall be over thirty years of age and shall be a qualified elector of his county.

Section 116. Each of the judges of said district tax court, before entering upon his duties as such, in addition to taking the regular oath of office now prescribed by the law of the State of Alabama, shall take and subscribe to the following oath:

"I do solemnly swear that I am over thirty years of age, a qualified elector and resident of (here give the name of the county), State of Alabama, and that I will faithfully discharge the duties of judge of the district tax court of Alabama, and that I will fix the valuation of all property listed for taxation and submitted for valuation to the court of which I am a member, at sixty per cent of its reasonable cash value, to the best of my judgment and ability, so help me God."

Section 117. Whenever under the provisions of this act any notice, subpoena or writing is required to be given or served for or on account of the administration of said district tax court, same may be served by any sheriff in this State, or his deputy, or by any lawful constable, and compensation to such officer for serving such notice, subpoena or writing shall be the same as is now allowed the sheriff for summoning witnesses for the circuit court in civil cases, which shall be paid by the court of county commissioners, or other court of like jurisdiction of the county, in the event the appeal is decided in favor of the contention of the taxpayer, and in the event the judgment of the court is against the contention of the taxpayer, judgment shall be entered in favor of the State and county and against such taxpayer for all costs incurred in such proceeding, for which execution may issue as in civil cases in the circuit court of the State, and the property of such taxpayer may be levied upon and sold by the sheriff of the county as in such cases.

Section 118. The style of all cases upon the trial docket and minutes of said district tax court shall be: "State of Alabama

and County of (here give name of the county), Plaintiffs, vs. (here give name of taxpayer appealing), Defendant.”

Section 119. Whenever the district tax court shall have rendered its judgment as to the value of any property, the county supervisor of assessments shall enter such valuations upon the assessment lists in the same manner as the original assessment valuations are entered, and the tax assessor shall make such records of same as are required to be made in values fixed by the county supervisor of assessments, and such valuation shall be the assessment value of said property under the laws of this State.

Section 120. All appeals from the ruling of the county supervisor of assessments in fixing values for property shall be taken within ten days after the date of the final decision of the county supervisor of assessments to the district tax court of the county; provided, however, that in the event the assessment or valuation is upon real estate only, then no bond shall be required as a condition precedent to the trying of such appeal. The trial upon such appeal shall be de novo and the court shall render judgment against the appellant for such taxes as may be or are to become lawfully due on such property. All of such appeals shall be set for trial at the first succeeding term of the court after the appeal is taken; provided, however, that no such appeal shall suspend the right of the State and counties to collect from the appellant taxes due upon his property as fixed for assessment for the preceding tax year, and the appellant shall, when the taxes are due, pay all taxes due at the assessed value for such preceding year. If the judgment of the court shall be rendered after the appellant shall have paid based upon the assessed valuation for such preceding year, the court shall ascertain and determine the amount of taxes so paid and render judgment only for the difference, if any, due upon the assessed valuation for such preceding year and the valuation as fixed by the court, and the judgment shall show this fact. Provided that if the court trying the case shall find that the value of the property is less than the assessed value upon which such taxpayer has paid taxes for the year in question, such fact shall be certified by the clerk of the court to the court of county commissioners, or other court of like jurisdiction, and the taxpayer shall be entitled to be paid back the amount in excess of his taxes actually due, by the tax collector, and the tax collector shall have credit therefor as an error in assessment on his settlement with the State and county authorities. From the judgment of the trial court, either party may appeal to the circuit court, within thirty days from the rendition of the judgment, where the trial shall be had de novo.

Section 121. In all districts composed of only three counties, the three judges in each of such districts shall constitute the

court in each county in such district for the trial of cases appealed from the ruling of the county supervisor of assessments to the district tax court, except as by this act otherwise provided.

Section 122. In the twenty-second district the judges residing in the counties of Barbour, Dale and Houston shall constitute the court for Barbour county and for Dale county, for the trial of cases appealed from the ruling of the county supervisor of assessments to the district tax court; and the judges residing in the counties of Dale, Henry and Houston shall constitute the courts for Henry county and for Houston county, for the trial of cases appealed from the ruling of the county supervisor of assessments to the district tax court, except as by this act otherwise provided.

Section 123. The judges of the district tax courts may hold for one another when they deem it expedient, and shall do so when directed by the governor in writing.

Section 124. The opinion of a majority of the judges sitting at each of such district tax courts shall govern in the valuation and equalization of values of all property before them for determination, and in the judgment to be rendered.

Section 125. The secretary of State shall receive the same compensation for issuing commissions to each of the judges of the district tax court as he now receives for issuing commissions to the judges of circuit courts, to be paid by the appointee, which is to be disposed of by him in the same way as compensation received by him for issuing commissions to circuit court judges.

Section 126. That each of the judges of such district tax courts shall receive as compensation for his services while sitting upon the trial of cases before the court in any county, as follows: In counties having an assessment of more than \$100,000,000, according to the assessment of the preceding tax year, the sum of fifteen dollars per day for each day he is so engaged, not exceeding thirty days, unless otherwise ordered by the State tax commission; in counties having an assessment of more than \$36,000,000 and not more than \$100,000,000, according to the assessment for the preceding tax year, the sum of twelve dollars and fifty cents per day for each day he is so engaged, not exceeding eighteen days, unless otherwise ordered by the State tax commission; in counties having an assessment of not more than \$36,000,000, according to the assessment of the preceding tax year, the sum of ten dollars per day for each day he is so engaged, not exceeding twelve days, unless otherwise ordered by the State tax commission. The compensation above provided for shall be paid by the county treasurer, or person or corporation acting in that capacity, upon the warrant of the court of

county commissioners, or other court of like jurisdiction, of the county in which such court is held, and the same shall be a preferred claim.

Section 127. That each of such judges shall receive five cents per mile each way from his home to the place of the sitting of such court and back once, at each term of such court, for traveling expenses, which shall be paid in the same manner as the compensation provided for in the preceding section.

Section 128. That in the event any judge shall move his residence from the county of which he was a resident at the time of his appointment, his office shall thereby be vacated and the vacancy shall be filled as early as practicable in the manner provided by this act for the filling of vacancies in such office.

Section 129. In case any judge shall fail to attend any term of court, the judges in attendance shall cause the fact to be entered upon the minutes of the court and such judges in attendance shall constitute the court for all purposes during the absence of such judge.

Section 130. The presiding judge of the district tax court in any county may frame and cause to be issued by the clerk of such court, any summons, subpoena, writ of execution, or other process, necessary for the proper administration of said court, or to carry into effect any lawful order, judgment or decree rendered or made by such court.

Section 131. Whenever any property has been valued by the district tax court and judgment has been rendered against the defendant for the amount of taxes due or to become due thereon, and no appeal has been taken from the judgment of such court, or in case where appeals have been taken and judgment has been affirmed, or a new judgment has been rendered by the district tax court in accordance with the judgment and direction of the circuit court and such taxes have become delinquent, it shall be the duty of the clerk of such court to issue a writ fieri facias against the goods, chattels, lands and tenements of the defendant, or the defendant and his sureties, for the satisfaction of such judgment and costs, if costs have been adjudged against such defendant, or defendant or sureties, shall not have any property, real or personal, exempt from levy and sale under such writ, and such writ shall constitute a lien prior to all other liens upon such goods, chattels, lands and tenements, and such writ shall be levied and sale thereunder made by the sheriff of the county just in the manner that levies and sales are made under writs of fieri facias issuing out of circuit courts in civil cases and such sheriff shall receive like commissions thereon; and in cases taxes are paid but judgment for costs is not paid, the writ shall issue for the

satisfaction of such costs. A bill of costs shall accompany the execution where the judgment includes costs.

Section 132. If any attorney at law is appointed as a judge of any district tax court, it shall be unlawful for him, while holding such office, to accept employment in any matter affecting the revenue of the State, a county, city, or special tax district, and his doing so shall constitute sufficient grounds for his impeachment, in addition to all other grounds of impeachment.

STATE TAX COMMISSION.

Section 133. There is hereby created a commission to be known as "State tax commission," to be composed of a chairman and two associate members, who shall be appointed by the governor. The term of office of each of the members of said commission shall begin on the first day of October, 1919, or as soon thereafter as he shall be appointed and qualify, and shall expire on the first day of October, 1923, and upon the termination of the term of office of such members, their successors shall likewise be appointed by the governor for a term of four years, and thereafter the members of said commission shall likewise be appointed by the governor for a term of four years. The governor, at the time of the appointment of such commission, shall designate which of said appointees shall be chairman of said commission. In case of a vacancy in said State tax commission caused at any time by death, resignation, removal or otherwise, the vacancy shall be filled by appointment by the governor and such appointment shall be for the unexpired term.

Section 134. The members of the State tax commission shall be qualified electors, known to possess high character and knowledge of the general subject of taxation and matters pertaining thereto. No member of said commission shall hold another office under the government of the United States, or under any other State or of this State, or any political subdivision thereof, during his incumbency of such office, and shall not hold any position of trust or profit, or engage in any occupation or business the conduct of which shall interfere or be inconsistent with the duties they shall assume as members of the State tax commission under the provisions of this act; provided, that no one shall be eligible to serve as a member of the State tax commission while employed by or financially interested in any public service corporation, and shall have been a citizen of Alabama for a period of five years, and shall be over thirty years of age, and shall be a freeholder, and provided further, that one of said members shall be a man learned in the law.

Section 135. The members of the State tax commission before entering upon the discharge of their duties, shall enter into bond in the sum of five thousand dollars for the faithful performance of his duties, which bond shall be approved by the governor, and shall take, subscribe and file with the secretary of State the following special oath of office in addition to the general oath of office prescribed for public officers by the Constitution of Alabama, to-wit:

"I, _____, do hereby solemnly swear that I will faithfully, impartially perform the duties of office as a member of the State tax commission, to which I have been appointed and which I now assume, without fear or favor, bias or thought of personal gain or advantage, to the best and utmost of my ability, capacity and power."

This oath shall be taken before any officer qualified to administer oaths in the State of Alabama, and thereupon shall be filed with the secretary of State.

Section 136. The members of the State tax commission shall each receive a salary of two hundred and fifty dollars per month for the time that he actually holds office, such salaries to be paid out of the State treasury in the same manner as the salaries of other State officials are paid.

Section 137. The State tax commission may appoint a secretary at a salary of not more than two thousand, four hundred dollars per annum, which salary shall be paid out of the State treasury in the same manner as the salaries of other State officials are paid. Said commission may employ such other persons as experts, engineers, stenographers, assistants or attorneys as may be necessary for the proper performance of the duties which may be required of said commission, and said commission shall fix the compensation of such other persons, with the approval of the governor, such compensation to be paid out of the State treasury upon a warrant drawn by the State auditor on a certificate or voucher of the commission, approved by the governor, but the amount to be expended by said commission for experts, engineers, assistants, stenographers or attorneys employed by the county supervisor of assessments, by and with the approval of the State tax commission, and all other expenses of every nature and character whatsoever incurred by the State tax commission, shall not exceed fifty thousand dollars per annum.

Section 138. It shall be the duty of the State tax commission, and it shall have power and authority:

a. To have and exercise general and complete supervision over the valuation, equalization and assessments and collections of taxes, and the enforcement of the tax laws of the State, and

over the several county tax assessors, and county supervisors of assessments in the several counties of the State, and over each and every State and county official charged with the duty of valuing, equalizing, assessing, collecting or enforcing the payment of taxes and licenses to the State or to any county in the State, to the end that all assessments on property, privileges, incomes, excess profits, and franchises in the State shall be made in exact proportion to the true and just value thereof in substantial compliance with the law.

b. To confer with, advise and direct all tax assessors, tax collectors of the State and county taxes, and county supervisors of assessments, as to their duty under the laws of this State.

c. To direct actions, prosecutions and proceedings to be instituted to enforce the laws of this State relating to penalties, forfeitures, liabilities, and punishment of public officers, and officers or agents of corporations, companies or associations, or persons for failure or neglect to comply with the provisions of the law governing the return, assessment and taxation of property, privileges, income, excess profits and franchises in this State, and to cause complaints, information, action or prosecutions to be made or instituted against any tax assessor or collector in the proper court, or to the proper judge of any court, for the removal of officers for official misconduct or neglect of duty.

d. To require county or circuit solicitors, and the attorney general of the State, to commence and prosecute actions, proceedings and prosecutions for penalties, forfeitures, impeachments and punishments for violations of the laws of the State in respect to the valuing, equalizing, assessment and collection of taxes and the enforcement of taxation of property, privileges and franchises subject to taxation, within the respective jurisdiction or spheres of official duty of said officers, and to employ attorneys for such purposes.

e. To require any county officer or other public officer in the State to report information as to the valuation, equalization and assessment of property, incomes or excess profits, collection of taxes, receipts from licenses and other sources, methods of taxation, values of franchises or intangible property or assets, subject to taxation, and such other information as may be needful in the work of the State tax commission in such form and upon such blanks as the commission may prescribe.

f. To require individuals, partnerships, associations and corporations, and the agents, officers and employees thereof, to furnish information concerning their capital, funded or otherwise, gross receipts, net profits or income, excess profits, current assets and liabilities, values of franchises, value of property, earnings,

operating and other expenses, bonds, deeds, conduct of business, and all other facts, records, papers, documents, and other information of any kind demanded which may be needful in order to enable the commission to ascertain the value and relative burden to be borne by every kind of property in this State, but where a person, partnership, corporation, company or association is not engaged in a business which is subject to a tax on gross receipts, or on capital employed in this State, or on franchise, or on intangible property, or on income or on excess profits, the commission shall not inquire into, nor shall it require information as to the liabilities, earnings, profits and loss and expenses, or conduct of business of such persons, partnership, company, association or corporation.

g. To summon witnesses to appear and give testimony, and to procure records, books, papers, documents and all other information of any kind or character required relating to any matter which the commission shall have authority to investigate and determine. The witnesses may be summoned by subpoena issued by any member of the commission, or by the secretary thereof, in the name of the commission, directed to any sheriff of Alabama, and returnable to the commission, which subpoena may be served in like manner as subpoenas issued out of any circuit court; or the subpoenas may be served by registered mail, addressed to the witness with return receipt demanded. In either case the subpoenas must be served at least five days previous to the time named therein for the appearance of the witness. Subpoenas duces tecum to any witness to appear and produce any records, books, papers or other documents, may be issued and served in like manner; provided that no officer of any bank or banking institution shall be required to disclose to the commission or any of its agents or clerks the deposits of its customers.

h. To cause the deposition of witnesses residing within or without the State to be taken upon such notice to the interested party, if any, as the commission may prescribe, in like manner as depositions of witnesses are taken in actions pending in the circuit court of the State, in any manner which the commission has authority to investigate or determine. The deposition shall be taken upon a commission issued by the State tax commission, or the secretary thereof, in the name of the commission, and returnable to the commission.

i. To visit in a body or separately the several counties in the State for the purpose of investigating the works and methods adopted by county assessors, collectors, county supervisors of assessments, or other officers or boards charged with the duty of valuing, equalizing, assessing, collecting, determining, or ad-

justing the taxation of real and personal property in this State, or in any county thereof; to examine carefully into all cases where evasions or violations of law established for the valuation, equalization, assessment and collection of taxes on property are alleged, complained of, or discovered, and to ascertain wherein existing laws are defective, or are improperly or negligently administered, and to report the result of the investigation and the facts ascertained to the governor from time to time when required by him.

j. To investigate the tax systems of other states; to inform themselves upon the subjects of taxation by the best available means to formulate and recommend such legislation as may be deemed expedient to prevent the evasions of any laws of the State relating to taxation, and to secure just and equal taxation and improvements in the system of taxation in this State.

k. To consult and confer with the governor upon the subject of taxation and the administration of the laws in relation thereto, and the progress of the work of the commission, and to furnish the governor from time to time such information as he may require.

l. To transmit to the governor, thirty days before the meeting of the Legislature, a written report showing all the taxable property in the State and the values of the same, in tabulated form, with recommendations in the system of taxation in the State, together with recommendations of such measures as the Commission may formulate for the consideration of the Legislature in regard thereto.

m. To assess or cause to be assessed, by the proper officer, any property subject to taxation, and to set aside and hold for naught any valuation or assessment of property made by any county official within the State, or by any other official authorized to make assessments, and to reassess or re-value said property, unless the valuation or assessment shall have been previously in the same tax year confirmed or determined by a court of record on appeal; and may cause all its assessments, valuations, re-assessments or revaluations herein authorized to be entered in all the proper assessment book, or record, or minutes of the several county officers, or of the appropriate boards or tribunals of this State authorized to assess property or to determine the question of assessments and taxation; provided such taxpayer may appeal from such revaluation by the State tax commission to the district tax court of the county.

Section 139. The secretary of said commission shall keep full and correct minutes and records of all hearings, transactions and proceedings of the commission, and he shall perform

such other duties as may be required of him by law or by said commission from time to time. The commission shall make all needful rules not inconsistent with the law for the orderly, efficient and methodical performance of its duties, and for conducting hearings and other proceedings before it.

Section 140. Oaths to witnesses in any matter under the investigation or consideration of the commission may be administered by any member of the commission, or by the secretary thereof.

Section 141. The State tax commission shall have and maintain its offices at the capitol in Montgomery, and shall be provided with suitable rooms, necessary office furniture, supplies, stationery, books and maps, and all expenses of the commission incurred in the discharge of its duties and the administration of its functions shall be paid by the State treasurer out of the appropriation herein made for the annual expenses of the State tax commission, upon a warrant drawn by the State auditor on the certificate or voucher of the commission, approved by the governor; provided that the governor may at his discretion provide other or additional offices in the city of Montgomery for the use of the State tax commission, the rent for same to be paid out of the appropriation of the State tax commission.

Section 142. All the members of the State tax commission, and the secretary of the commission, and all stenographers, experts, engineers, and assistants who may be employed by the commission, shall be entitled to receive their actual expenses while traveling or acting on the business of the commission, such expenses to be itemized and sworn to by the person who incurs the same, and vouchers attached as now provided by law, and shall be approved by said commission, and also by the governor, and shall be paid by the State treasurer out of the appropriation herein made for the annual expenses of the State tax commission upon warrant drawn by the auditor.

Section 143. All employees of the State tax commission shall be subject to the order of the commission, and may be removed by the commission, with or without cause.

Section 144. That it shall be the duty of the State tax commission to carefully examine the tax abstracts of all tax returns of the several counties of the State filed in the office of the auditor, and to compare said tax abstracts and tax returns for the purpose of ascertaining whether the tax valuation of the various classes of property as made by the respective counties of the State is reasonably uniform as between the respective counties. It is the purpose and intent of this act to bring about as far as practicable an equalization throughout the States of the values

of the various classes of property subject to be taxed, so that values fixed in one county shall not be out of proportion to values fixed in other counties in the same classes of property. If it shall appear to said State tax commission that in any one or more counties of this State, or in any municipality or precinct of any county, the taxable values fixed upon any one or more classes of property are not reasonably uniform with the values fixed upon the same classes of property in the other counties, the said State tax commission shall investigate and inquire as to the reason thereof, and after making such investigation and comparison, shall have authority to order and direct the county supervisor of assessments to readjust and re-equalize the same for either the current or succeeding tax year, either by adding a fixed percentum to the total valuation of any class of property in any county or in any precinct or municipality therein, if they find the valuation too low; or by deducting a fixed percentum from the total county, precinct or municipal valuation of any class of property in any county, or in any precinct or municipality of any county, if they find the valuation too high, as may be just and right between the counties, precincts or municipalities, and so re-value and re-equalize each item of such class of property that each such item of property will bear its just proportion of the raise so ordered, or receive its just share of the reduction. And the said State tax commission shall thereupon notify, by United States mail, postage prepaid, the county supervisor of assessments of the county affected that the county, precinct, or municipal valuations upon the classes of property specified in the said notice shall be raised or lowered by the percentum fixed by said State tax commission, and the auditor shall thereupon return to said county its tax abstract and other tax returns for correction accordingly.

Section 145. That upon the giving of such notice by the State tax commission of changes or corrections ordered to be made in the valuation of property within said county, it shall be the duty of the county supervisor of assessments receiving such notice to correct the county, precinct or municipal valuations upon the class or classes of property specified by the State tax commission, so as to make the same conform to the findings and orders of said State tax commission by so re-valuing and re-equalizing each item of said class of property so that each such item will bear its just proportion of the raise so ordered, or receive its just proportion of the reduction.

Section 146. Whenever the county supervisor of assessments shall have completed his work of re-valuing and re-equalizing any class or classes of property, by order of the State tax com-

mission, as provided by section 144 of this act, the said county supervisor of assessments shall certify under his signature to the correctness thereof, and shall deliver said reassessment or re-equalization to the tax assessor of the county as his report, and the tax assessor shall hold them in his office subject to public inspection. The tax assessor shall then give notice by publication once a week for three consecutive weeks in a newspaper published in the county, if any be published in the county; if no newspaper be published in the county, by posting notice in at least three public places in the county, that the county supervisor of assessments has returned his report, and that the same is open to inspection, and that the said county supervisor of assessments will sit at the courthouse in the county on a day to be named and fixed in said notice, to correct any errors in their valuations, and shall also give a like notice in person or by mail. It shall be the duty of the county supervisors of assessments to see that such notice is given and to sit at the courthouse in his county on the day named and fixed in said notice, and remain in session as long as may be necessary for the purpose of hearing objections, if any, made against said revaluations or re-equalization so fixed by said county supervisor of assessments, and that at such session any property owner may appear in person or by attorney and make his objections to the value made by the county supervisor of assessments, and produce evidence in support thereof. And it shall be the duty of the county supervisor of assessments to examine the complaint under oath and to examine any other witnesses under oath, as to the reasonable cash value of the property of said owner, and if he finds from the evidence that revalues placed by him on the property were not sixty percent of the reasonable cash value of such property, then he shall correct the valuations upon the tax returns as his report of said revaluation and re-equalization, so that it will show sixty percent of the reasonable cash value, and such corrected amount so entered by the county supervisor of assessments shall constitute the taxable value of said property; but if the county supervisor of assessments shall find from all evidence that the revaluation placed by him on the property was sixty percent of the reasonable cash value thereof, then said revaluation shall remain and stand as the taxable value of said property. The revised and corrected property valuation thus made shall be fixed as the legal valuation of the property for the payment of taxes, and it shall be the duty of the taxpayer to pay his taxes thereon accordingly. From the order or decree establishing such corrected valuation the taxpayer shall have the right to appeal to the circuit court where the trial shall be had de novo.

Section 147. It shall be the duty of one or more members of the State tax commission to visit annually the several counties in the State for the purpose of familiarizing themselves with the character and values of the several classes of property therein, and investigate the methods and work of the county tax officials, and to ascertain wherein existing laws are defective or are improperly or negligently construed, and to report the result of this investigation and the facts ascertained to the governor from time to time, as required by him.

Section 148. In case any witness shall fail or refuse to testify to or in answer to any material question, or to produce any records, books, papers, or other documents in his custody or control when required to do so, any circuit court of like jurisdiction, or any judge thereof, upon the application of any member of the commission, shall issue an attachment for such witness and compel such witness to comply with the summons, or to attend before the commission and produce such books, documents, papers or records, and to give his testimony upon such matters, as he may be lawfully interrogated about; and the court or the judge thereof may punish such witness for contempt, as in cases of disobedience of a like subpoena issued from such court for the refusal to testify in any cause pending therein. And any person who willfully refuses to appear or furnish the information required of him shall be deemed guilty of a misdemeanor.

Section 149. No witness shall be excused from attending or testifying, or from producing books, papers, records, accounts, and other documents before the commission, or in obedience to the subpoena issued by or in the name of the commission or any member thereof, on the ground or for the reason that the testimony, documentary or otherwise, required of him, may tend to incriminate him or subject him to a penalty or forfeiture. But no person shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter or thing concerning which he may testify or produce evidence, documentary or otherwise, before the commission, or in obedience to its subpoena; but no person so testifying shall be exempt from prosecution and punishment for perjury committed in so testifying.

Section 150. Every witness who shall appear before the commission by its order shall receive for his attendance the fees and mileage allowed by law for witnesses in civil cases in courts of record, which shall be audited and paid by the State in the same manner as other expenses of the State tax commission are audited and paid, upon the presentation of the proper vouchers sworn to by such witness and approved by the commission; but witnesses summoned by parties other than the commission shall

be paid by the party or parties causing the witnesses to be summoned.

Section 151. Whenever any equalization or assessment shall have been made by the State tax commission or by the district tax court, the valuations thus fixed shall be and remain the taxable value of such property for a period of two years from the first day of October preceding, unless there shall be a change in the conditions of the improvements on said property, or the erection or construction of improvements thereon, in which event the assessment shall be increased or reduced to the extent only of the increase or reduction of the value of the improvements erected, altered or destroyed.

Section 152. Every person, firm or corporation whose property is required by this act to be assessed for taxation by the State tax commission, and not herein otherwise specifically required to make reports to the said commission, shall on or before the first day of March of each year, make a report of all of its property of every nature and character whatsoever, and such other and further information upon such forms and in such manner as may be required by the State tax commission.

Section 153. It is hereby made the duty of the State tax commission, whenever in its judgment any class or classes of property in any county or counties, or in any subdivision of any county, is assessed disproportionately to the assessment of such property elsewhere in the State, and below sixty percent of its reasonable cash value, to advertise the assessment of such property in some newspaper published in the county where same is assessable, giving the name of the person, firm, or corporation to whom the same is assessed, a description of the property, and the assessed value thereof.

Section 154. Whenever any matter is pending before any court affecting the revenue laws of the State, and in which the State is an interested party and the interest is very important, the State tax commission may, with the approval of the governor, employ special counsel to represent the interest of the State on the trial thereof; and no case pending before a court affecting the revenue laws of the State shall be dismissed by counsel representing the State, whether specially employed counsel or otherwise, except by order of the State tax commission.

Section 155. In all cases where the duty of assessing the ad valorem taxes of any person or corporation under this act is placed upon the State tax commission, the State tax commission shall also assess the income tax of such person or corporation, and in order to successfully and fairly assess such tax, may demand of such person or corporation any information necessary

and proper for such purpose, and such tax shall be paid in the same manner that the ad valorem taxes of such person or corporation are paid and shall be distributed to the counties for collection in the same proportion that such ad valorem taxes are distributed.

Section 156. The State board of equalization is hereby abolished.

Amend House bill No. 383 by striking out therefrom schedule 9 under section 361, and inserting in lieu thereof the following:

Schedule 9. ~~One-half the license herein provided for shall~~ be paid where the motor vehicle is acquired after April 1st of any year. The payment of the registration fee or license tax on motor vehicles shall be evidenced by the delivery to the party paying the same of a numbered license or tag, which shall be placed in a conspicuous place on the rear of the automobile or motor vehicle. It shall be a misdemeanor punishable by fine not exceeding twenty-five dollars, for each offense to display the tag on any place other than the rear of the motor vehicle. The State tax commission shall provide tags for all motor vehicles, and shall also provide receipts in triplicate, one of which shall be retained by the probate judge; one shall be delivered to the person paying the license fee, and the third shall be mailed by the probate judge to the State tax commission on the day the license was issued. Every part of each receipt shall bear the same number as the tag delivered to the licensee. These receipts shall be prepared in the form to be determined by the State tax commission and delivered to the various probate judges along with the tags upon the requisition of the probate judge, under such rules and regulations as may be prescribed by the State tax commission; and the State tax commission shall have power to prescribe rules and regulations concerning the application for and deliverance to the licensee of the tag and receipt required by this schedule. Provided, however, that the automobile licensee shall be required to state in his application whether he proposes to use his automobile for private use or for commercial purposes. The tag furnished for commercial vehicles shall be of different shape and design from those used for private or pleasure cars. The registration fee or license tax herein required to be paid on motor vehicles shall be in lieu of all other privilege or license taxes which the State, or any county or municipality thereof might impose, where the motor vehicle is used by the owner for his private use and that of his family; provided that incorporated cities or towns are hereby authorized to collect a reasonable license or privilege tax on motor

vehicles used for carrying passengers or freight for hire. Nothing herein contained shall be construed so as to impose a license tax on motor vehicles owned and used by any municipal corporation in this State, but all such vehicles shall bear a numbered tag, which the probate judge is authorized to deliver without the payment of any fee or charge, except the sum of fifty cents to cover the cost of each tag delivered by him to such municipal corporation, and the proceeds of such payments shall be made to the State treasurer without any deduction for commissions by the probate judge. Cars owned by the State shall also be required to bear a numbered tag, application for which shall be made to the probate judge of Montgomery county, and said probate judge is hereby authorized and required to deliver without cost such tag and receipt upon application of the proper official.

The money collected as motor vehicle license taxes, less expenses, shall be distributed as follows: eighty per cent (80%) to the State and twenty percent (20) to the incorporated city or town in which the owner of the motor vehicle resides and twenty percent (20%) to the county, if the owner of the motor vehicle resides outside of an incorporated city or town.

The money collected as motor vehicle license taxes by the State, less expenses, shall be used exclusively for building and maintenance of public roads and bridges as now or may hereafter be provided by law.

It shall be unlawful for any person to mutilate or alter for the purpose of deception any motor vehicle tag provided for by this act. It shall also be unlawful for any person to use upon his car any tag in imitation of or substitution for real tags lawfully issued. It shall be the duty of all sheriffs, police officers and license inspectors to arrest persons violating these two preceding provisions, and a fine not exceeding fifty dollars may be imposed for each offense. In case the tag is lost or becomes mutilated beyond recognition the owner of the motor vehicle may file with the State tax commission an affidavit setting forth the fact that the tag has been lost, mutilated, or destroyed and upon the payment of one dollar, there shall be issued to him by said commission a new tag. In the case of a mutilated tag same shall be forwarded with the affidavit to the State tax commission and should the lost tag reappear and come into his possession, it shall be the duty of the person obtaining the new tag to immediately forward the old or replaced tag to the State tax commission. Should he or any one else use upon any motor vehicle the old or replaced tag, he shall be fined twice the amount of the license required for the motor vehicle upon which the tag is used and shall also be required to procure a license for said motor

vehicle. Any one who makes any false affidavit in obtaining a tag from the State tax commission shall be guilty of perjury. When any one sells or transfers a motor vehicle for which a license tag has been procured and attached, such person may use such vehicle without procuring another license tag, provided the person to whom such vehicle is transferred shall, within thirty days, notify in writing the probate judge issuing the license, and the State tax commission of such transfer, stating the name of the car, the number of the license tag, and the person from whom the vehicle was received and the date of the transfer, and unless such notice is given within such time, ~~the license for such vehicle~~ shall be void. Dealers in motor vehicles demonstrating their cars shall not be required to procure license tags from the probate judge, but before any dealer shall be permitted to operate upon the roads or streets in this State any motor vehicle for demonstration purposes, he shall apply to the State tax commission for dealers' tags, which shall be issued, for the sum of one dollar each, after the dealer has filed with the State tax commission a bond in some approved surety company, in the sum of not exceeding one thousand dollars, payable to the State. The condition of the bond shall be that he will not himself use or permit any one else to use said dealers' tag or tags, except for the purpose of demonstrating his own cars for sale. Should any dealer violate the condition of said bond, the State may recover the sum of fifty dollars for each time he makes improper use of such tag.

Amend H. 383, by adding section 251½ :

The payment of a franchise tax shall not be required by this State of any domestic life insurance company, paying a capital stock tax, or other tax required by law, and provided further, that domestic building and loan associations are exempt from franchise taxes.

Amend schedule 128, by striking out on line 9 the words, "No county license shall be required under this schedule," and by adding the following, "1/3 of said license shall be paid to the county in which said bottling works is located.

Amend schedule 11-B, by striking out the words on line 23, page 139, "but no license shall be paid to any county under this schedule."

Amend schedule 77, by striking out last line beginning with the word "municipalities" and ending with the word "Receipts."

Amend schedule 76, by striking out last line beginning with the word "municipalities" and ending with the word "Receipts."

Amend schedule 63 by striking out last line beginning with the word "municipalities" and ending with the word "Receipts."

Amend schedule 45, by striking out the last line beginning with the word "municipalities" and ending with the word "receipts."

Amend schedule 43, by striking out last sentence beginning with the word "municipalities" and ending with the word "receipts."

Amend schedule 41, by striking out the last line beginning with the word "municipalities" and ending with the word "receipts."

Amend schedule No. 3, by striking out the last line beginning with the word "municipalities" and ending with the word "receipts."

Amendment to House bill No. 383:

Exemption of mutual fire and casualty insurance companies from income and excess profits taxes.

Amend subsection 2 of section 336, page 114, to read as follows:

"2. Mutual savings banks and fire and casualty insurance companies not having a capital stock represented by shares."

Amend subsection 4 of section 358, page 128 to read as follows:

"4. Co-operative banks and mutual fire and casualty insurance companies without capital stock, organized and operated for mutual purposes and without profit."

Amend schedule 32, at end of schedule:

Any person, firm, corporation or association who maintains a place of business outside of the State of Alabama, or who interchanges credit information or reports, or is affiliated with any similar agency operating in any other State, shall not be deemed a local credit reporting company under the terms of this act.

Amend schedule 7 of license schedule headed in italicized words: "automobiles—commercial," by inserting after the first word "for" in said schedule, the word "motor," and by striking out the words in the first and second lines of said schedule and following the word "truck," the words "used for the purpose of carrying freight;" and by striking out in the second line of said section the word "thirty" and insert in lieu thereof the word "fifteen;" and by striking out in the third line of said section the words "forty-five" and inserting in lieu thereof the words "22.50;" by striking out in the fourth line of said section the words "seventy-five" and insert in lieu thereof the words "\$37.50;" and by striking out in line four of said schedule the words "one hundred twelve dollars and fifty cents" and insert in lieu thereof the words "56.25; and by striking out in the fifth line of said section the words "one hundred and fifty dollars"

and insert in lieu thereof the words "seventy-five." Motor trucks or motor vehicles used by the State or county or any municipality of this State shall not be liable for the payment of this tax, but shall carry tags.

Amend H. 383 by adding the following at the end of the license schedule, to be numbered schedule 129:

LABOR AGENTS.

Each person who shall engage in the business of hiring or soliciting laborers to go or to be employed outside of Alabama or in ~~furnishing, arranging or providing transportation for~~ laborers to go beyond the limits of Alabama or in advertising for such laborers shall be a labor agent within the meaning of this schedule. All assistants, sub-agents, partners, associates or employees of any such person shall be subject to the license hereby levied, whether such license be paid by their employer, principal, partner, associate or not.

Each labor agent within the meaning of this schedule shall pay annually a license tax of two thousand five hundred dollars for the use of the State and fifty per cent thereof for the use of the county; such license shall be paid in each county in which such labor agent engages in business or operates or undertakes to operate.

Such license shall be paid at the time and in the manner provided by statute for the payment of other licenses and shall be in lieu of other licenses levied on emigrant or labor agents.

This schedule shall go into effect on the approval of this act, and the payment of any license now in force shall not exempt any person from the payment of the license tax hereby levied.

Any person who shall engage in the business of a labor agent as herein defined without first paying the license hereby provided for shall be guilty of a misdemeanor.

It shall be a misdemeanor for any labor agent as herein defined to engage in business as such until he shall have filed with the probate judge of each county in which he does business a bond in the sum of five thousand dollars payable to the State of Alabama with a good and sufficient surety residing in such county (or if the surety be a corporation it shall be a corporation doing business in such county) to be approved by the probate judge of the county conditioned on the payment of such damages as any person may sustain by reason of any misrepresentation made to such person by such labor agent as to the nature, place, surroundings, pay or any other feature of any prospective employment of such person. On such bond an action may be sustained in his own name by each person who may suffer any dam-

ages as a result of any such misrepresentation to recover such damages.

A common carrier engaged in interstate commerce shall not in transporting any passenger or in employing or transporting laborers to work for it shall not be a labor agent within the meaning of that term as herein defined.

The license provided for in this schedule must be taken out for a full year, and cannot be taken out for a half year.

Add under caption Taxation of Corporations, section 12, just after the words "owned by the corporation."

In arriving at the value of the shares of the stock of a corporation organized under the laws of Alabama for the purpose of conducting an insurance business, there shall be deducted from the value of such shares, in addition to the assessed value of its property, the amount of its bonds of the State of Alabama, or any Alabama good road bonds, or any county or municipality thereof, and of the United States held by such insurance corporation at the time of such assessment, which said bonds were held during all the six months preceding such assessment.

Amend section 412 of House bill No. 383 by striking out the word "six" wherever it occurs in said section, and inserting in lieu thereof the word "twelve."

Amend section 264 of House bill No. 383 by inserting after the words "for serving each notice" and before the words "but for his attendance at court" the following words: "which may be given by registered mail with return receipt demanded."

Amend section 239 of House bill No. 383 by striking out the word "one-fourth" wherever it occurs in said section and inserting in lieu thereof the word "one-half."

Amend section 363 by adding thereto the following words: "Provided, that in case it should become necessary to remove any business for which a license is required by this section, from one location to another location in the same city or town, and such business be continued as the same kind and character, and by same person or firm, as that carried on at the former location, another license shall not be required for such business for the same license year."

Amend House bill 383, by striking schedule 84 of section 361, and inserting in lieu thereof, the following:

84. Pistols and pistol cartridges.—For each person, firm or corporation, dealing in pistols, pistol cartridges, and other metallic ammunition, rifles, or maxime silencers, bowie knives, dirk knives, brass knucks, or knucks of like kind, whether principal stock in trade or not, in cities and towns of thirty-five thousand inhabitants and over, one hundred and fifty dollars; in all other places, one hundred dollars, except 22 calibre rifle cartridges.

Amend House bill 383, section 335, by striking out of said section where it occurs prior to mortgages the word "existing."

Amend House bill 383, subdivision 2, section 338, paragraph B by striking out of said paragraph the words, "imposing a tax on" and inserting in lieu thereof, "including."

Amend House bill 383, section 2, by adding thereto as paragraph N the following: "Nothing in this act shall be construed as imposing a tax on mortgages on real estate and the notes and debts and credits secured by such mortgages or the income derived therefrom, provided the recording privilege tax provided by law has been paid on such mortgages."

Amend House bill No. 383, by inserting section 315½, as follows:

"Section 315½. Definitions.—When hereafter used in this act, the term "person" includes private corporations, associations and individuals of this State.

The term "corporation" includes associations, joint stock companies and insurance companies.

The term "domestic" when applied to a corporation or partnership means created or organized under the laws of the State of Alabama.

The term "foreign" when applied to a corporation or partnership means created or organized outside of the State of Alabama.

The term "Revenue Act of 1918" means the United States Revenue Act of 1918, approved February 24th, 1919.

The term "cash" means any legal tender, negotiable paper or solvent credit.

The term "taxable year" means the calendar year or the fiscal year ending during such calendar year upon the basis of which net income is computed.

The term "fiscal year" means an accounting period of twelve months ending on the last day of any month other than December.

The term "tax payer" means any person or corporation whose income is subject to the payment of income tax under the provisions of this act.

The first taxable year, to be called the taxable year 1919, shall be the calendar year 1919 or any fiscal year ending during the year 1919.

The term "fiduciary" means a guardian, trustee, executor, administrator, receiver, conservator or any person acting in any fiduciary capacity for any person, trust or estate.

The term "withholding agent" means any person required to deduct or withhold any tax under the provisions of this act.

The term "paid" for the purpose of the deductions and credits hereinafter provided for with respect to income tax means paid or accrued or paid or incurred, and the terms "paid or incurred" and "paid or accrued" shall be construed according to the method of accounting on the basis on which the net income is computed under this act.

Amend section 324, H. 383, by striking out sub-divisions j and K, and inserting in lieu thereof, the following:

"j. Contributions or gifts made within the taxable year to recognized religious, charitable and scientific or educational institutions or institutions for the prevention of cruelty to children or animals which are not operated for profit and no part of the net earnings of which inures to the benefit of any private stockholder or individual, or contributions to the special fund for vocational rehabilitation authorized by section 7 of the United States vocational rehabilitation act, the amount of such deduction not to be, however, in excess of fifteen per cent of the taxpayer's net income as computed without the benefit of this paragraph. such contributions or gifts shall be allowable as deductions only where made to institutions recognized as institutions for the above purposes under rules and regulations prescribed by the chairman of the State tax commission. In the case of a non-resident individual or foreign corporation, this deduction shall be allowed only as to contributions or gifts made to domestic corporations or institutions within the State of Alabama or to such vocational rehabilitation fund, and as to such contributions to the vocational rehabilitation fund only in the proportion of the total of such contributions which the amount of gross income from all sources within the State of Alabama bears to the amount of gross income from all sources within and without the State of Alabama."

"k. In the case of a non-resident individual or foreign corporation, the deductions allowed in paragraphs a, d, f, g, h and i, shall be allowed only if and to the extent that they are connected with income arising from a source within the State of Alabama, and a proper apportionment and allocation of the deductions with respect to sources of income within and without the State of Alabama shall be determined under rules and regulations prescribed by the State tax commission."

Amend section 324 of H. 383, by striking out subdivision (c), and inserting in lieu thereof the following:

"c. Taxes paid or accrued within the taxable year imposed (a) by the authority of the United States; (b) by the authority of any of the possessions of the United States; (c) by the authority of any state or territory, including the State of Alabama,

or of any county, school district, municipality or other taxing subdivision of any state or territory, but not including those assessed against local benefits of a kind tending to increase the value of the property assessed; or in the case of a non-resident individual or foreign corporation, taxes paid or accrued within the taxable year imposed by the authority of the State of Alabama or any county, school district, municipality or other taxing subdivision of the State of Alabama, plus the proportion of tax imposed by other authorities above mentioned which the amount of gross income from sources within the State of Alabama bears to the amount of gross income from all sources within and without the State of Alabama.

Amend section 316, House bill No. 383, by striking out of said section wherever it occurs, the word "levied" and inserting in lieu thereof the word "assessed."

Amend section 317 of H. 383, by striking out the word "of" and immediately after the word "thereof" and inserting the word "or."

Amend H. 383, by striking out section 318, and inserting in lieu thereof the following:

"Section 318. Exchange of property.—When property is exchanged for other property, no income shall be deemed under this act to have resulted from such exchange, unless the property received in exchange is cash or part cash, and in case of such an exchange for property other than cash, the new property received shall be treated as taking the place of the property exchanged.

Amend subdivision (a) of subdivision (2) of section 323, House bill No. 383, by striking out the words "the income of the owner from real and personal property provided said property has been assessed for taxation and the value fixed by law," and inserting in lieu thereof the following: "any debt for rent or hire of real or personal property while owned by the landlord or hirer, and all income from lands used for agricultural purposes."

Amend House bill 383, by striking out section 319 and inserting in lieu thereof, the following:

"Section 319. Sales of certain classes of property.—When real property, corporate stocks, bonds of any kind, notes, debentures, negotiable paper, or solvent credits are sold by a tax payer, for the purpose of determining the amount and rate of taxation due on account of any profit or loss resulting from any such sale, the profit or loss, as the case may be, shall be apportioned equally over the number of years during which the property so sold has been owned by the tax payer, or in the case of property owned by the tax payer on January 1, 1919, the number of years between January 1, 1919, and the date of sale, and the amount of tax to

be paid on account shall be apportioned equally over the number of years during which the property so sold has been owned by the tax payer.

Amend section 323, of H. 383, by striking out subdivision (3) and inserting in lieu thereof the following:

(i) Interest on bonds, notes or other obligations secured by mortgage, conditional sale, agreement or contract, the privilege tax for the recording of which has been paid; (3) in the case of nonresident tax payers and foreign corporations doing business in the State, gross income includes only the gross income arising from sources within the State, including interest on bonds, notes or other interest-bearing obligations of residents, corporate or otherwise, the privilege tax for the recording of the mortgage securing which in the State of Alabama has not been paid, and including all amounts received (although paid under a contract for the sale of goods or otherwise), representing profits in the manufacture and disposition of goods within the State of Alabama.

Amend section 324 of H. 383, by striking out subdivision (b) and inserting in lieu thereof, the following:

"b. All interest paid or accrued within the taxable year on indebtedness, but in the case of a nonresident or a foreign corporation, the proportion of such interest which the amount of gross income from sources within the State of Alabama bears to the amount of gross income from all sources within and without the State of Alabama."

Amend section 324 of H. 383 by adding to said section an additional subsection designated "1" to read as follows:

"Life insurance premiums to the extent of two hundred dollars annually."

Amend subdivision C, of section 326 of bill No. 383, so as to read as follows:

"Three hundred dollars for each person (other than husband or wife) dependent upon and receiving his chief support from the taxpayer, if such dependent person is under eighteen years of age or is incapable of self-support because mentally or physically defective.

Amend subdivision 3 of section 330, of House bill No. 383, by striking out at the end of the first sentence thereof, the words "tax collector of the county" and inserting in lieu thereof the words "State auditor."

Amend section 331, H. 383, so as to read as follows:

Individual taxpayers' returns.—Every taxpayer having a net income for the taxable years of one thousand dollars or over, if single, or if married and not living with husband or wife, and of

two thousand dollars, if married and living with husband or wife, shall each year within thirty days after making the report of his entire net income to the treasury department of the United States for any fiscal or calendar year, but not later than the first day of June of any calendar year, make under oath to the State tax commission a return stating specifically the items of his gross income and the deductions and credits allowed by this act, his place of residence and post office address. If a husband and wife living together have an aggregate net income of two thousand dollars or over, each shall make a return unless the income of each is included in a single joint return. ~~If the taxpayer is unable to make his own return,~~ the return shall be made by a duly authorized agent or by the guardian or other person charged with the care of the person or property of such taxpayer. A taxpayer other than a resident shall not be entitled to the deductions authorized by section 324 unless he shall make under oath a complete return of his gross income both within and without the State."

Amend section 332, House bill No. 383, by inserting after the word "return" where it first occurs in said section, and before the word "for" the words "to the State tax commission."

Amend section 333, House bill No. 383, by striking out the words "State income tax supervisor of assessments or county tax assessor in the county where such fiduciary resides," where same occur in said section after the words "in the office of the" and before the words "shall be sufficient, etc.," and inserting in lieu thereof the words "State tax commission."

Amend section 335 of House bill No. 383, by striking out of said section wherever it occurs, the word "levied" and inserting in lieu thereof the word "assessed."

Amend section 339, subdivision 3, of H. 383, by striking therefrom the following words, viz.: "except income, war profits and excess profits taxes," wherever they occur therein.

Amend section 342 of House bill No. 383, by striking out the words "whose ad valorem taxes are assessed by the State board of equalization," where same occur after the word "act" and before the words "shall within thirty days;" also by striking from said section the words "State board of equalization, and every other corporation, joint stock company or association other than those just mentioned, subject to such tax shall within the time just mentioned make a return to the county tax assessor," after the words "make a return to the," and before the words "stating specifically, etc.," and inserting the words "State tax commission."

Also by striking out the following sentence: "In the case of foreign corporations whose ad valorem taxes are not assessable

by the State board of equalization, the return shall be made to the tax assessor of the county in which it has its principal place of business, and if no principal place of business, in the county where its agent resides.

Amend section 343 of House bill No. 383 so as to read as follows:

"The income tax provided for in this act shall be assessed by the State tax commission upon blanks in the form to be prescribed by the State tax commission, and when such assessments shall have been completed the State tax commission shall notify each of such taxpayers, by registered mail with return receipt demanded, of the amount of his assessment for income taxes, and such taxpayer may at any time within thirty days after the mailing of such notice by the State tax commission appear before the State tax commission, in person, by agent or attorney, and show cause, if any he can, why said assessment is not correct, and such State tax commission shall thereupon correct such assessment, if they find such assessment to be incorrect."

Amend House bill No. 383 by striking out section 344 and inserting in lieu thereof the following:

Section 344: "Every taxpayer against whom an assessment for income taxes has been made shall, between the first day of October, 1920, and the first day of January, 1921, and between the first day of October of each subsequent year thereafter and the first day of January thereafter, pay to the State auditor the amount of income taxes assessed against him, and the State auditor shall thereupon give his receipt therefor. After the first day of January of each of such years such taxes not then paid shall be delinquent. The assessment and collection of such income taxes shall be under the supervision of the State tax commission and the governor shall designate one member thereof as State income tax supervisor, who shall, by and with the approval of the governor, employ such assistants and clerks as shall be necessary to carry on the work of his office."

Amend House bill No. 383 by adding thereto section 345½ which shall read as follows:

Section 345½. In case any taxpayer has through mistake paid an income tax which he is not legally due, or has paid an amount in excess of what he was in fact due, such taxpayer may make application in writing to the State tax commission to have such amount erroneously paid refunded, and upon making satisfactory proof to the State tax commission that such error was made, the State tax commission shall notify the auditor of the error and the auditor shall thereupon draw his warrant in favor of such taxpayer upon the treasurer of the State, to be paid out

of the general fund of the State, for the amount erroneously paid and received by the State treasurer; the auditor shall notify the commissioners' court or board of revenue of any county of the amount erroneously paid by such taxpayer and received by such county, and such commissioners' court or board of revenue shall thereupon cause the same to be refunded by the county; and the State auditor shall also notify the governing body of any municipality that may have received any part thereof of the amount so received by such municipality and such governing body shall cause the same to be refunded from the treasury of such municipality. The fact that such taxes were regularly assessed shall not preclude such taxpayer from showing that the mistake had been made in such assessment or payment.

Amend section 346 of House bill No. 383 so as to read as follows:

Custody of income tax returns and records: The income tax returns and records shall remain in the office of the State tax commission and shall not be open to public inspection.

Amend section 347 of House bill No. 383 so as to read as follows:

Assessment of income tax against those failing to make return and penalties for such failure: Any person or corporation failing or refusing to make the list or return required by this act, or rendering a willfully false or fraudulent list or return, shall be assessed by the State tax commission on account of such income tax, in such manner as appears to it from the best information obtainable, either by examination of the defaulting taxpayer or any other evidence, that such taxpayer is liable for. In case of failure or neglect to make such list or return, the State tax commission shall add a penalty of not more than twenty-five per centum as a penalty to the amount of the tax due; and in the case of a willfully false or fraudulent return or list having been rendered, the State tax commission shall add a penalty of not more than fifty per centum as a penalty to said tax.

Amend section 348 of House bill No. 383 by striking out therefrom the words "or excess profits taxes."

Amend House bill No. 383 by striking out section 345 and inserting in lieu thereof the following:

Section 345. The income tax provided for in this act of persons and corporations whose ad valorem taxes are assessed by the State tax commission and of all corporations doing business in more than one county of this State shall be regarded as arising in the counties and municipalities of the State in the exact proportion as such ad valorem taxes are assessed or are apportioned among said counties and municipalities; all other income taxes

shall be regarded as arising at the place of residence, if an individual, or at the principal place of business of the tax payer if a corporation. The State auditor shall within thirty days after the receipt of payment of any income taxes, pay over to the county treasurer, or person or corporation acting in that capacity for the county in which such tax is regarded as arising, twenty-five per cent of such taxes; to the treasurer of the municipal corporation in which such taxes are regarded as arising thirty-five per cent of the tax there arising; and to the treasurer of the State of Alabama the balance left after such payments, in each instance taking the receipt of the person to whom such money is paid.

Amend section 355 of House bill No. 383 by striking out from the caption thereof the words "The State board of equalization or the tax assessor," and inserting in lieu thereof the words "the State tax commission." Also by striking out at the beginning of the section the following words "the county tax assessor may at any time he sees proper, or at any time that he is required to do so by the State income tax supervisor or the State board of equalization," and inserting in lieu thereof the words "The State tax commission."

Amend section 356 of House bill No. 383 so as to read as follows:

Rules to be promulgated by the State tax commission: The State tax commission shall from time to time, as said commission shall deem desirable, promulgate such reasonable rules and regulations governing procedure and methods of ascertaining and determining gains and income so as to conform as nearly as possible to the best accounting practice in every trade or business, and as most clearly reflecting the income therefrom.

Amend H. 383 by adding after section 356 of the bill by adding thereafter a section to be numbered 356½ as follows:

"Any officer or employee who shall, in violation of the terms of this act disclose any fact connected with the return of income tax, shall be guilty of a misdemeanor, and shall be discharged from his office or employment."

Amend House bill No. 383 by striking out sections 357, 358, 359, 360, and 360½.

Amend House bill No. 383 by striking out from same wherever they occur in said bill the words "State board of equalization" and inserting in lieu thereof the words "State tax commission."

Amend section 324 of H. 383 by striking from subsection "C" the words, "except income, war profits and excess profits tax," and the words "except the amount of income, war profits or excess profits tax," where they occur therein.

Amend section 349, of House bill No. 383 so as to read as follows:

Section 349: Further provisions as to the collection of income taxes: That in every respect herein specified in this act, returns for the levy and collection of the taxes herein provided for shall be subject to all provisions of law relative to the assessment and collection of taxes on personal property, as far as applicable and the taxes hereby levied and provided for shall be a lien on all property, real and personal, of such taxpayers in this State from the date of the assessment until paid and the lien enforced as in the case of ad valorem taxes, and garnishment proceedings may issue in favor of the State for the collection of such income taxes, just as may be done for the collection of any debt as between individuals; and the State tax commission shall have further power and authority of levy and sale for the collection of such taxes as tax collectors have for the collection of ad valorem taxes; and the State tax commission may, in such matters, act through its duly authorized agents. The income taxes collected by the State tax commission shall be, as soon as practicable, turned over to the State auditor and his receipt taken therefor. The State tax commission shall not collect any income tax before the same becomes delinquent, except in cases of emergency where delayed action might result in the loss of such taxes.

Amend section 350 of House bill No. 383 by striking out the words "any tax assessor or" where they occur at the beginning of the third sentence therein, and by inserting after the words "lock and key" and before the words "and any official" the words "by the State tax commission."

Amend section 354 of House bill No. 383 by striking out the words "tax assessor, or in the office of the State board of equalization, as the case may be, where the assessment was made," and inserting in lieu thereof the words, "State tax commission."

Amend House bill No. 383, section 338, subdivision 2, by striking out the word "insurance" at the end of said subdivision and inserting in lieu thereof the word "reinsurance."

Amend H. No. 383, by striking section 23 thereof from the said bill.

Amend House bill No. 383 by striking out from section 367 thereof the words "be punished as provided by section 9 of this act," and insert in lieu thereof the words "on conviction, be fined not less than the amount of the State and county license due by him, and not more than one hundred dollars in addition thereto, and may be sentenced to hard labor for the county for not more than six months; all fines to be paid in money and when collected, two-thirds shall be paid to the State and one-third to the county."

Amend schedule 93, by striking out "fifteen dollars" and inserting "ten dollars."

Amendment to schedule 83 of H. 383:

Schedule 83. Guns, rifles, etc. For each person, firm or corporation dealing in shot guns, rifles, noiseless rifles, or air rifles, and metallic ammunition, whether principal stock in trade or not; in cities and towns of one hundred thousand inhabitants or over, fifty dollars; in cities and towns of less than one hundred thousand inhabitants and no less than thirty-five thousand inhabitants, thirty-five dollars; in cities and towns of less than thirty-five thousand and not less than seven thousand inhabitants, twenty-five dollars; and all other places, fifteen dollars.

Amend section 197, House bill 383, by striking out the words "One-half of one per cent" where said words occur in line 9, of said section and inserting in lieu thereof the following words: "Such commissions as may be allowed by the commissioners court, boards of revenue or other governing bodies of the several counties of the State, to be not less than one-half of one per cent and not more than one per cent.

Amend schedule 66 of section 361, of House bill 383, by adding thereto the following words: "Providing this shall not apply to wagon mines which do not load said coal in or on railroad cars, boats or barges."

Amend schedule 110 of section 361 of House bill 383, by striking out the first two paragraphs of said schedule down through and including the words "one hundred and fifty dollars" and inserting in lieu thereof the following:

Schedule 110. Distillers of turpentine or rosin: Each person, firm, partnership, corporation or association operating a turpentine still or stills for the purpose of distilling or manufacturing spirits of turpentine or rosin, shall pay an annual privilege tax as follows:

On each still having a capacity of sixteen barrels or less, twenty dollars; on each still having a capacity of over sixteen barrels and not over twenty barrels, thirty-five dollars; on each still having a capacity of over twenty barrels and not over twenty-five barrels, forty-five dollars; on each still having a capacity of twenty-five barrels or over, sixty-five dollars.

Amend schedule 100 by striking out in line five (5) the words beginning with "municipality" and ending with "receipts."

Amend schedule 123, lines 7 and 8, by striking out the words "two hundred dollars" and inserting instead "fifty dollars."

Amend House bill No. 383, section 361, schedule 80, by adding thereto, after the words, "nor of persons totally blind," the words, "nor of persons who are physically disabled to do manual

labor, who shall obtain a certificate from the county health officer as to such disability."

Amend section 361, H. 383, add after the words "five dollars" in schedule 43 the words "except Confederate veterans and veterans of the Spanish-American war and veterans of the war with Germany, including members of the volunteer medical service in the war with Germany."

Amend House bill No. 383 by adding a section to be numbered 356 $\frac{3}{4}$ as follows:

"Section 356 $\frac{3}{4}$. Income tax supervisor. The chairman of the State tax commission shall be ex-officio State income tax supervisor."

Amend House bill 383, section 355, by striking from section 355, the following words "the county tax assessor may at any time he sees proper or at any time he is required to do so by."

Amend section 316, H. 383, by striking out of said section wherever it occurs, the word "levied" and inserting in lieu thereof the word "assessed."

Amend schedule 66 of section 361 of House bill 383 by adding at the end of said schedule 66 the following:

Railroad weights shall govern in determining the amount of coal mined, provided said coal is loaded in railroad cars.

Amend schedule 67 of section 361 of H. 383 by adding at the end of said schedule 67, the following:

"Railroad weights shall govern in determining the amount of iron ore mined, provided said iron are is located in railroad cars."

Amendment to House bill No. 383. Amend schedule 59 by striking out "Each foreign insurance company desiring to carry on a business in this State, and each domestic insurance company, shall at the time of filing its annual statement procure from the insurance commissioner a certificate for such agent of such company in this State, showing that said company is authorized to do business, and that said agent is authorized to represent such company, and the commissioner shall collect for the use of the State for each certificate issued by him a fee of four dollars and for each official seal impressed on said certificate a fee of one dollar," and insert in lieu thereof the following:

"Each foreign insurance company desiring to carry on a business in this State and each domestic insurance company shall at the time of filing its annual statement procure from the insurance commissioner a certificate or license for each agent or other representative of such company soliciting business in this State showing that said company is authorized to do business, and that said agent or other representative is authorized to represent such company, and the commissioner shall collect for the use of the

State for each certificate or license issued by him a fee of four dollars and for each official seal impressed on said certificate a fee of one dollar. To facilitate the collection of premium taxes and fees for agents, all stock fire and casualty insurance companies doing business in this State shall issue all policies upon property or risk in this State through resident agents duly licensed, who shall countersign all such policies. Each agent shall collect and retain the usual commission paid by the insurer except that not over one-half of such commission may be paid to a licensed nonresident agent or broker and such agent shall keep a true record of all policies thus issued or countersigned, and shall, upon request, furnish a verified copy thereof to the commissioner to aid him in the collection of all premium taxes due in this State. For failure of any agent to comply with the provisions of this paragraph, the commissioner shall, for a first offense suspend the license of such agent for not exceeding six months, and for a second offense revoke such license. Special resident or non-resident agents, nonresident brokers and resident solicitors must also be licensed but shall not issue or countersign fire or casualty insurance policies.

Which amendment was on motion of Mr. Carmichael, adopted.

Yeas, 18; nays, 3.

Yeas:

Messrs:

Acker	Butler	Espy	Huddleston
Beale	Carlton	Evins	Kelly
Bedsale	Carmichael	Gunter	Rogers (Sumter)
Briscoe	Cowan	Harper	Tally
Brown	Craft		

—18

Nays:

Messrs:

Baker	Phillips	Prestwood
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—3

PAIRS ANNOUNCED.

Mr. Ellis announced that he and Mr. Griffith were paired on this vote; that Mr. Griffith, if present, would vote "yea" and he, Mr. Ellis, would vote no.

Mr. Moore announced that he and Mr. Smith of Coosa were paired on this vote; that Mr. Smith of Coosa, if present, would vote "yea" and he, Mr. Moore, would vote nay.

Mr. Miller announced that he and Mr. West were paired on this vote; that Mr. West, if present, would vote "nay" and he, Mr. Miller, would vote "yea."

Mr. Smith of Lawrence, announced that he and Mr. McDowell were paired on this vote; that Mr. McDowell, if present, would vote "no" and he, Mr. Smith, would vote "yea."

Mr. Smith announced that he and Mr. Leith were paired on this vote; that Mr. Leith, if present, would vote "no" and he, Mr. Sims, would vote "yea."

Mr. Leith offered the following amendment to said bill, as amended, to-wit:

Amend said act by striking therefrom schedule 66 and 67 and inserting in lieu thereof, the following:

Schedule 66. That from and after the 1st day of October, 1919, there shall be levied, assessed, collected and paid a tax of 1 cent for each 10 cents or fraction thereof of the amount paid for admission to any place, on or after that date, including admission by season ticket or subscription, to be paid by the person paying for said admission, at the time of the purchase thereof; and in the case of persons, (except bona fide employees, municipal officers on official business, persons in the military or naval uniform of the United States, and the State of Alabama, when in uniform, and children under twelve years of age), admitted free or at reduced rates to any place at a time when and under circumstances under which an admission charge is made to other persons, a tax of 1 cent for each 10 cents or fraction thereof of the price so charged to such other persons for the same or similar accommodation, to be paid by the person so admitted.

Provided, however, no tax shall be levied under this schedule in respect to any admission all the proceeds of which inure exclusively to the benefit of religious, educational or charitable institution, societies or organizations and the like societies for the prevention of cruelty to children or animals or exclusively to the benefit of organizations conducted for the sole purpose of maintaining symphony orchestras and receiving substantial support from voluntary contributions, none of the profits of which are distributed to members of such organization, or exclusively to the benefit of persons in the military or naval forces of the United States or the State of Alabama, or admissions to agricultural fairs, none of the profits of which are distributed to stockholders or members of the association conducting the same.

The term "admission" as used in this title includes seats and tables reserved or otherwise, and other similar accommodations and the charges made therefor.

That every person (a) receiving any payments for such admissions, dues or fees shall collect the amount of the tax imposed by this schedule from the person making such payments, or (b) admitting any person free to any place for admission to

which a charge is made, shall collect the amount of the tax imposed by this schedule from the person so admitted and shall make monthly returns under oath, in duplicate, to the State auditor and pay the taxes so collected to the treasurer of the State.

The returns required under this schedule shall contain such information and be made at such times and in such manner as the State tax commission, with the approval of the governor, may by regulation prescribe.

The tax shall, without any other notice, be due and payable to the State treasurer at the time so fixed for filing the return. If the tax is not paid when due, there shall be added as part of the tax a penalty of 5 per centum, together with interest at the rate of 1 per centum for each full month, from the time when the tax became due.

Mr. Acker moved to lay the amendment offered by Mr. Leith on the table, which motion prevailed and said amendment was laid on the table.

Mr. Huddleston offered the following amendment to said bill, to-wit:

Add schedule 66½:

Schedule 66½. At on and before October 1st, 1919, there shall be levied, assessed, collected and paid a tax of one cent for each ten cents or fraction thereof of the amount paid to any person conducting a soda foundation, ice cream parlor, or other similar place of business, for drinks commonly known as "soft drinks," whether compounded or mixed at such place of business or served from bottles, or for ice cream, ice cream sodas, sundaes, or other similar articles of food or drink, when any of the above are sold on or after such date for consumption in or in proximity to such place of business. Such tax shall be paid by the purchaser to the vender at the time of the sale and delivery and shall be collected, returned and paid to the State treasurer for the use of the State by such vendor in the manner hereinafter provided. Each person receiving any payment referred to in this schedule shall collect the amount of tax, if any, imposed by this schedule from the person making such payment, and shall make monthly returns under oath, in duplicate, and pay the taxes so collected and the taxes imposed upon it under this schedule to the State treasurer, at the time of making said return. All returns required under this schedule, shall be made within five days after the expiration of each month, and shall contain and be on such forms as the State auditor may provide. If the tax is not paid when due by said vendor there shall be added as a part

of the tax a penalty of five per centum together with interest at the rate of one per centum for each full month from the time when the tax came due, which said penalty shall be recoverable by appropriate action in the name of the State institute by the solicitor of the county in which such vendor resides or does business."

Mr. Acker moved to lay the amendment offered by Mr. Huddleston on the table, which motion prevailed and said amendment was laid on the table.

And said bill:

H. 383. To provide for the general revenue of the State of Alabama.

As amended, was read a third time at length and passed.

Yeas, 13; nays, 6.

Yeas:

Messrs:

Acker
Beale
Bedsole
Briscoe

Brown
Butler
Carmichael

Cowan
Craft
Espy

Harper
Rogers (Sumter)
Tally

—13

Nays:

Messrs:

Carlton
Evins

Huddleston
Morris

Phillips

Prestwood

—6

PAIRS ANNOUNCED.

Mr. Ellis announced that he and Mr. Griffith were paired on this vote; that Mr. Griffith, if present, would vote "yea" and he, Mr. Ellis, would vote no.

Mr. Kelly announced that he and Mr. Baker were paired on this vote; that Mr. Baker, if present, would vote no and he, Mr. Kelly, would vote yea.

Mr. Miller announced that he and Mr. West were paired on this vote; that Mr. West, if present, would vote no and he, Mr. Miller, would vote yea.

Mr. Smith of Lawrence announced that he and Mr. McDowell were paired on this vote; that Mr. McDowell, if present, would vote no and he, Mr. Smith, would vote yea.

Mr. Sims announced that he and Mr. Leith were paired on this vote; that Mr. Leith, if present, would vote no and he, Mr. Sims, would vote "yea."

Mr. Smith of Coosa, announced that he and Mr. Moore were paired on this vote; that Mr. Moore, if present, would vote "no" and he, Mr. Smith, would vote "yea."

BILL RE-COMMITTED.

On motion of Mr. Bedsole, the bill:

S. 444. To suppress profiteering by requiring articles and commodities of merchandise and things sold or offered for sale to be so marked, or the cost and selling price thereof displayed or published, that the purchaser, or prospective purchaser, may ascertain the amount of profit demanded by the seller in a sale thereof, and prescribing a penalty for failing to mark, falsely marking, falsely publishing, or falsely representing the cost of such articles, commodities or things.

Was taken from today's calendar and re-referred to the Standing Committee on Judiciary.

RESOLUTION.

Mr. Carmichael offered the following joint resolution:

S. J. R. 121. Resolved, by the Senate, the House concurring, That when the two houses adjourn today it be till Wednesday, August 27th, 1919, at 10 o'clock A. M.

Resolved, further, That the two houses remain in session today until H. 383 shall be sent from the Senate to the House and conference committees, if necessary, shall be appointed.

Which was, under a suspension of the rules, adopted.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has concurred in and adopted:

S. J. R. 121. Relative to adjournment until Wednesday, August 27th, at 10 A. M.

And returns same herewith to the Senate.

Fred H. Gormley,
Clerk.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has originated and passed the following bill:

H. 407. To provide for working convicts on the State trunk highways of the State of Alabama, under the supervision of the State highway department in co-operation with the State convict department; to authorize the removal of all able-bodied convicts from under the lease system and place them on the trunk highways of the State; to make it unlawful to lease convicts to any person or corporation after the first day of January, 1923; to authorize and empower the State highway commission to purchase from the convict department or paid said convict depart-

ment for the use or hire of said convicts at the current price for labor, to be determined by the governor; to authorize and require the convict department to make the necessary preparations for housing, caring for, guarding and incarcerating said convicts, by establishing permanent convict road camps in certain parts of the State of Alabama, and to provide such temporary or portable camps and equipment as may be necessary to successfully care for and maintain said convicts as may be worked on the public highways of this State.

And ordered the same sent forthwith to the Senate without engrossment.

Fred H. Gormley,
Clerk.

HOUSE MESSAGE.

The House bills in the foregoing House message were severally read once and referred to appropriate standing committees, as follows:

H. 407. To the Committee on Penitentiary, Prison and Prison Punishment.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has originated and passed the following bill:

H. 555. To divide the State into judicial circuits for the circuit court, to be numbered and composed of the counties named.

And ordered the same sent forthwith to the Senate without engrossment.

Fred H. Gormley,
Clerk.

HOUSE MESSAGE.

The House bills in the foregoing House message were severally read once and referred to appropriate standing committees as follows:

H. 555. To the Committee on Judiciary.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has non-curred in the Senate amendments to the bill:

H. 383. To provide for the general revenue of the State of Alabama.

And asks for a Committee of Conference and has named as a Committee on Conference on part of the House Messrs. Murphree, Lynne and Benners.

Fred H. Gormley,
Clerk.

HOUSE MESSAGE.

Mr. Acker moves that the Senate insist on the Senate amendments to the bill, H. 383, the title of which is set out in the foregoing message from the House, and that a Conference Committee consisting of three from the Senate be appointed. Mr. Evins moves to amend the motion of Mr. Acker by substituting a committee of five from each House, which motion was lost. And the motion of Mr. Acker then prevailed and the President and presiding officer of the Senate appointed as conferees on part of the Senate Messrs. Butler, Leith and Griffith.

BILLS ON THIRD READING.

The bill:

H. 702. To provide for the town of Albertville and school district known as the Albertville school district, to manage and control the affairs of its public schools in said school district; to provide for the election of a board of education by the town council of the town of Albertville, Alabama; to authorize said board of education to mortgage or pledge the property of said public school for the purpose of procuring additional funds to build or erect and equip a suitable public school building in said town of Albertville, and to authorize payment and satisfaction of said mortgage out of funds hereafter derived from the levy of a special school tax in said school district.

Was read a third time at length and passed.

Yeas, 20; nays, 0.

The bill:

Yeas:

Messrs:

Acker	Carmichael	Harper	Rogers (Lauderdale)
Beale	Cowan	Huddleston	Rogers (Sumter)
Briscoe	Craft	Kelly	Sims
Brown	Evins	Morris	Smith (Lawrence)
Carlton	Gunter	Prestwood	Tally

—20

Nays:—None.

H. 390. To abolish the county court of Greene county and the offices thereto attached and to provide for the transfer of all trials of prosecutions instituted therein and not disposed of, together with all papers, processes, records and documents relat-

ing thereto, to the clerk of the circuit court of said county, and to provide for the clerk of said circuit court receiving the same to enter all such cases on the proper docket of said circuit court for trial as though originally filed therein.

Was read a third time at length and passed.

Yeas, 23; nays, 0.

Yeas:

Messrs:

Acker	Carmichael	Harper	Rogers (Lauderdale)
Beale	Cowan	Huddleston	Rogers (Sumter)
Bedsole	Craft	Kelly	Sims
Briscoe	Espy	Miller	Smith (Lawrence)
Butler	Evins	Morris	Tally
Carlton	Gunter	Prestwood	

—23

Nays:—None.

The bill:

H. 489. To make it unlawful for any person to take or catch fish in any of the waters of this State, or the tributaries of such waters, emptying into Choctawhatchee Bay by the use of any seine, hoop-net, trammel-net, or substitute therefor, except fish-baskets used only for the purpose of taking or catching cat fish, and to provide penalties for the violation of the provisions of this act.

Was read a third time at length and passed.

Yeas, 24; nays, 1.

Yeas:

Messrs:

Acker	Carlton	Gunter	Prestwood
Beale	Carmichael	Harper	Rogers (Lauderdale)
Bedsole	Cowan	Kelly	Rogers (Sumter)
Briscoe	Craft	Miller	Sims
Brown	Espy	Moore	Smith (Lawrence)
Butler	Evins	Morris	Tally

—24

Nays:

Mr. Huddleston—1.

The bill:

H. 455. To regulate the trials of misdemeanors in Lawrence county.

Was read a third time at length and passed.

Yeas, 25; nays, 0.

Yeas:

Messrs:

Acker	Brown	Carmichael	Espy
Beale	Butler	Cowan	Evins
Briscoe	Carlton	Craft	Griffith

Gunter	Miller	Prestwood	Sims
Harper	Moore	Rogers (Lauderdale)	Smith (Lawrence)
Huddleston	Morris	Rogers (Sumter)	Tally
Kelly			

—25

Nays:—None.

The bill:

S. 446. To provide that mechanics' and material men's liens and the right of enforcement thereof in Covington county, Alabama, shall attach and apply to property of a married woman where the service or labor is performed or the materials furnished with her knowledge and consent under a contract with the husband, and upon property owned jointly by husband and wife when the service or labor is performed or materials furnished under a contract with either or both, with the knowledge and consent of the other; to provide that no homestead right shall defeat such lien or the enforcement thereof; and to prescribe what shall be deemed to be consent within the meaning of this act.

Was read a third time at length and passed.

Yeas, 23; nays, 0.

Yeas:

Messrs:

Acker	Carlton	Gunter	Prestwood
Beale	Cowan	Harper	Rogers (Lauderdale)
Bedsole	Craft	Kelly	Sims
Briscoe	Ellis	Miller	Smith (Lawrence)
Brown	Espy	Moore	Tally
Butler	Evins	Morris	

—23

Nays:—None.

The bill:

S. 422. To create and establish the office of general guardian ad litem in all counties of over eighty-two thousand and less than one hundred thousand of population according to the last preceding Federal census or according to any subsequent Federal census; to prescribe his duties and qualifications; to provide for his appointment and to fix his compensation and term of office; to provide for the appointment of a guardian ad litem in cases where the general guardian ad litem is disqualified and where the interests of the infants interested in a case or antagonistic or conflicting; and to provide penalty for wrongful appointment of such guardian ad litem.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas, 24; nays, 0.

Yeas:

Messrs:

Acker	Carlton	Gunter	Morris
Beale	Cowan	Harper	Prestwood
Bedsole	Craft	Huddleston	Rogers (Lauderdale)
Briscoe	Ellis	Kelly	Rogers (Sumter)
Brown	Espy	Miller	Smith (Lawrence)
Butler	Evins	Moore	Tally

—24

Nays:—None.

The bill:

S. 450. To authorize the employment in counties of more than eighty-two thousand and less than one hundred thousand according to the latest Federal census, of persons to investigate and report violations of law, to prescribe the mode of their employment, their term of office, their duties, and the amount and method of payment for their services.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 22; nays, 0.

Yeas:

Messrs:

Acker	Carlton	Harper	Prestwood
Beale	Carmichael	Kelly	Rogers (Lauderdale)
Bedsole	Craft	Miller	Rogers (Sumter)
Briscoe	Ellis	Moore	Smith (Lawrence)
Brown	Evins	Morris	Tally
Butler	Gunter		

—22

Nays:—None.

The bill:

S. 451. To fix the compensation of members of the boards of revenue in this State in counties which now have, or which may hereafter have a population of eighty-two thousand people and not exceeding two hundred thousand people, according to the last Federal census, or any such census which may hereafter be taken, and to provide for the payment of such compensation.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 23; nays, 0.

Yeas:

Messrs:

Acker	Brown	Cowan	Gunter
Beale	Butler	Craft	Harper
Bedsole	Carlton	Espy	Huddleston
Briscoe	Carmichael	Evins	Kelly

Miller	Morris	Prestwood	Tally	
Moore	Phillips	Smith (Lawrence)		—23

Nays:—None.

The bill:

S. 496. To extend the term of office in all cities, having commission form of government, of the commissioner to be elected in the year 1919, having a population of not less than 50,500, nor more than 100,000, according to the last Federal census, and to provide for an election at the end of the term as extended.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 22; nays, 0.

Yeas:

Messrs:			
Beale	Cowan	Huddleston	Phillips
Bedsole	Craft	Kelly	Prestwood
Briscoe	Espy	Miller	Sims
Brown	Evins	Moore	Smith (Lawrence)
Butler	Gunter	Morris	Tally
Carlton	Harper		

—22

Nays:—None.

The bill:

H. 486. To prescribe and regulate the payment of certain claims registered against the fine and forfeiture funds of St. Clair county, when there are such funds in the hands of the county treasurer or any bank or individual who are discharging the duties of county treasurer and to give notice to such persons there are funds in the hands of such treasurer for the payment of claims by publication in county newspaper for two weeks.

Was read a third time at length and passed.

Yeas, 19; nays, 0.

The bill:

Yeas:

Messrs:			
Beale	Carlton	Harper	Phillips
Bedsole	Cowan	Kelly	Prestwood
Briscoe	Craft	Miller	Sims
Brown	Evins	Moore	Tally
Butler	Gunter	Morris	

—19

Nays:—None.

S. 474. To designate the register in chancery of all counties having a population of not less than 36,000 and not more than

37,000, as acting treasurer of their respective county, where the commissioners court, county board of revenue or like governing body, fails, neglects or refuses to designate any bank in said county as a repository of county funds as now provided by law; to fix the salary to be paid such register in chancery for his services as acting county treasurer and to provide for the payment of the same.

Was taken up.

Mr. Briscoe offered the following amendment to said bill:

Amend section 1 by adding after the figures "1910" where said figures occur in the third line of said section the following words: Or any subsequent Federal census.

Which was adopted.

Yeas, 18; nays, 0.

Yeas:

Messrs:

Beale	Carlton	Kelly	Phillips
Bedsole	Cowan	Miller	Prestwood
Briscoe	Craft	Moore	Sims
Brown	Gunter	Morris	Tally
Butler	Harper		

—18

Nays:—None.

And said bill, as thus amended, was read a third time at length and passed.

Yeas, 18; nays, 0.

Yeas:

Messrs:

Beale	Craft	Miller	Rogers (Lauderdale)
Bedsole	Evins	Moore	Sims
Briscoe	Gunter	Morris	Smith (Lawrence)
Butler	Harper	Prestwood	Tally
Carlton	Kelly		

—18

Nays:—None.

The bill:

H. 527. For the protection of salt water shrimp, to provide the manner in which said crustaceans may be caught, taken and marketed; to fix the seasons during which they may be caught; to authorize the issuance of licenses to persons seining for salt water shrimp, to provide a tax on all salt water shrimp taken in the waters within the State of Alabama, and to provide penalties for the violation of the provisions of this act.

Was taken up.

The Committee on Fish, Game and Forestry offered the following amendment to said bill, to-wit:

Amend the bill by adding section 7½ as follows:

"Section 7½. That it shall be unlawful for any person to sell, barter, exchange, give or deliver to any person, firm or corporation doing business in Alabama, any salt water shrimp after having been notified in writing by the chief oyster inspector to the effect that such person, firm or corporation which the chief oyster inspector shall name in his notice, has failed or refused to pay the tax on salt water shrimp or to make the reports in writing required by law, or failed to comply with the other provisions of this act, and in the event such salt water shrimp catcher, or master of a boat handling salt water shrimp, sells, exchanges, barter, gives or delivers salt water shrimp to the person, firm or corporation named in the notice as not having complied with the provisions of this act, the commissioner of conservation shall enter a cancellation of the license to take or catch salt water shrimp, or do business, against the person, or master of the boat, offending against this section, which license shall not be reissued except at the discretion of the commissioner of conservation."

Which was adopted.

Yeas, 18; nays, 0.

Yeas:

Messrs:

Beale	Cowan	Kelly	Rogers (Lauderdale)
Bedsole	Craft	Miller	Sims
Briscoe	Evins	Moore	Smith (Lawrence)
Butler	Gunter	Morris	Tally
Carlton	Harper		

—18

Nays:—None.

And said bill, as thus amended, was read a third time at length and passed.

Yeas, 18; nays, 0.

Yeas:

Messrs:

Beale	Cowan	Kelly	Rogers (Lauderdale)
Bedsole	Craft	Miller	Sims
Briscoe	Evins	Moore	Smith (Lawrence)
Butler	Gunter	Morris	Tally
Carlton	Harper		

—18

Nays:—None.

The bill:

H. 580. To prohibit stock from running at large in subdivisions of a voting precinct, or beat, or in subdivisions of a county

less than a voting precinct, or beat, in all counties having a population of as much as twenty thousand two hundred and ten and not more than twenty thousand two hundred and fifty, according to the Federal census of 1910; to provide for the removal of gates across public roads used to enclose such free or common range; and to fix penalties for the violation of the provisions of this act.

Was taken up.

Mr. Carmichael offered the following amendment to said bill:

Amend the caption of the bill by inserting after the figures "1910" the words: "or according to any subsequent Federal census."

Also amend section one of the bill by inserting after the figures "1910" and before the word "all" the words: "or according to any subsequent Federal census."

Which was adopted.

Yeas, 22; nays, 0.

Yeas:

Messrs:

Acker	Carlton	Harper	Phillips
Beale	Carmichael	Kelly	Rogers (Sumter)
Bedsole	Craft	Miller	Sims
Briscoe	Ellis	Moore	Smith (Lawrence)
Brown	Espy	Morris	Tally
Butler	Gunter		

—22

Nays:—None.

And said bill, as thus amended, was read a third time at length and passed.

Yeas, 22; nays, 0.

Yeas:

Messrs:

Beale	Carmichael	Harper	Phillips
Bedsole	Cowan	Kelly	Rogers (Sumter)
Briscoe	Craft	Miller	Sims
Brown	Ellis	Moore	Smith (Lawrence)
Butler	Espy	Morris	Tally
Carlton	Gunter		

—22

Nays:—None.

The bill:

H. 412. To authorize and require the city school board, or city board of education, or by whatever name called, in all cities or towns of this State having a population of not less than 38,000 nor more than 40,000, according to the last or any succeeding

Federal census, to provide a pension or retiring allowance for teachers who have served in the public schools of such city or town.

Was taken up.

Mr. Gunter offered the following substitute for said bill, to-wit:

SUBSTITUTE FOR HOUSE BILL NO. 412.

By Mr. Gunter:

A BILL

To be entitled an act to authorize and require the city school board, or city board of education, or by whatever name called in all cities or towns of this State having a population of not less than thirty-eight thousand nor more than forty thousand, according to the last or any succeeding Federal census, to provide a pension or retiring allowance for teachers who have served in the public schools of such city or town.

Be it enacted by the Legislature of Alabama:

Sec. 1. That the city school board, or city board of education, or by whatever name called, in all cities or towns of this State having a population of not less than 38,000 nor more than 40,000 according to the last or any succeeding Federal census, is hereby authorized and required, on application in writing, to retire any teacher who has taught in the public schools of such city for twenty-one years or more, and is at the time on the roll of teachers of any such city or town, and who, at the expiration of such period shall be in such mental or physical condition as to be unable or incapacitated to teach longer, such inability or incapacity to be determined by said board, and a statement thereof spread upon the minutes of said board.

Sec. 2. That the city school board or city board of education, or by whatever name called, in all cities or towns of this State having a population of not less than 38,000 nor more than 40,000 according to the last or any succeeding Federal census, is hereby authorized and required on application in writing to place on the retired list of school teachers any person who is at the time a resident citizen of any such city or town and who taught in the public school of such city twenty-one years or more at any time in the past and who shall be at the time of such application in such mental or physical condition as to be unable or incapacitated to teach longer, such inability or incapacity to be determined by said board and a statement thereof spread upon the minutes of said board; it being the intention of this act that such persons shall enjoy the full benefits of this act.

Sec. 3. The amount of pension or retiring allowance provided for in sections 1 and 2 of this act shall be one-half of the highest salary received by any such teacher during the period of service, but not to exceed the sum of \$600.00 per annum.

Sec. 4. Such pension or retiring allowance shall be paid out of the regular school funds monthly as salaries of other teachers are paid.

Sec. 5. This act shall take effect upon its approval by the governor.

Which was adopted.

Yeas, 23; nays, 0.

Yeas:

Messrs:

Acker	Carlton	Gunter	Phillips
Beale	Carmichael	Harper	Rogers (Lauderdale)
Bedsole	Cowan	Kelly	Sims
Briscoe	Craft	Miller	Smith (Lawrence)
Brown	Ellis	Moore	Tally
Butler	Espy	Morris	

—23

Nays:—None.

Which was adopted.

And said bill, as thus amended, was read a third time at length and passed.

Yeas, 20; nays, 1.

Yeas:

Messrs:

Bedsole	Cowan	Kelly	Rogers (Lauderdale)
Briscoe	Craft	Miller	Rogers (Sumter)
Butler	Ellis	Moore	Sims
Carlton	Gunter	Morris	Smith (Lawrence)
Carmichael	Harper	Phillips	Tally

—20

Nays:

Mr. Beale—1.

The bill:

H. 687. To conserve and save from depletion the public oyster reefs of Alabama and to further regulate the taking of oysters from the public reefs of the State, and for the protection of and extension of such reefs, and the development of the oyster industry, to declare such oysters the property of the State and to prescribe the condition under which such title may be divested and such oysters become articles of commerce, to provide for the payment of a license and tax by those catching, selling, or transporting the same, the rules of evidence on the trials of those violating the provisions of this act, who may try such cases, provide penalties for the violation of this act, and that all expenses in-

curred in carrying the provisions of same into effect shall be paid out of the oyster fund.

Was taken up.

The Standing Committee on Fish, Game and Forestry offered the following amendments to said bill, to-wit:

Amend the bill by adding section 11½ as follows:

Section 11½. That it shall be unlawful for any person to sell, barter, exchange or give to any person, firm or corporation any oysters taken from the waters of Alabama after having been notified in writing by the chief oyster inspector to the effect that such persons, firm or corporation, which the chief oyster inspector shall name, in his notice, has failed or refused to pay the tax on oysters, herein laid, or to make the reports in writing, herein required, or failed to comply with the other provisions of this act, and in the event such oyster catcher or master of a boat handling oysters sells, exchanges, barterers or gives away oysters taken from the public reefs and waters of this State to the persons, firm or corporations named in the notice, as not having complied with the provisions of this act, then the commissioner of conservation shall enter cancellation of the license to take or catch oysters against the person, or master of the boat, offending against this section, which license shall not be reissued, except at the discretion of the commissioner of conservation.

Amend the bill by adding section 11½ as follows:

Section 11½. That it shall be unlawful for any persons to sell, barter, exchange or give to any person, firm or corporation any oysters taken from the waters of Alabama after having been notified in writing by the chief oyster inspector to the effect that certain persons, firm or corporation, which the chief oyster inspector shall name, in his notice, has failed or refused to pay the tax on oysters, herein laid or to make the reports in writing, herein required, or failed to comply with the other provisions of this act, and in the event such oyster catcher or master of a boat handling oysters, sells, exchanges, barterers or gives away oysters taken from the public reefs and waters of this State to the persons, firms or corporations named in the notice, as not having complied with the provisions of this act, then the commissioner of conservation shall enter cancellation of the license to take or catch oysters against the person, or master of the boat, offending against this section, which license shall not be reissued, except at the discretion of the commissioner of conservation.

Also amend the bill by adding after the last word in section 2, the following: That all persons transporting oysters from this State to oyster canning factories, operated in other States, before removing oysters taken from the waters of Alabama to such other

states, where such factories are located, shall deposit with the chief oyster inspector a sum equal to one-half cent for every barrel of oysters to be removed from the State and consigner to such factories, which said one-half cent per barrel so deposited, shall be returned to such factories upon their deposit in the waters of Alabama at such place as the commissioner of conservation shall direct, four per cent of the oyster shells of the oysters taken from this State by such factories, such shells to be used in enlarging and developing the public oyster reefs in the waters of Alabama; and it shall be unlawful to remove oysters from the State of Alabama by water until the deposit provided by this section is made.

Also amend section 3 by striking out the word "Two cents per barrel," and inserting in lieu thereof the words, "Three cents per barrel."

Also amend the bill by adding section 3½ as follows: Section 3½. That it shall be unlawful for any person, firm or corporation to operate oyster canning factories in this State, where oysters are steamed, without first securing a license to do so from the chief oyster inspector and paying therefor the sum of \$100 for each steam box operated in such factory, and such factory shall likewise deliver, upon the order of the commissioner of conservation, four per cent of the oyster shells of the oysters taken from the waters of Alabama, which shells shall be used for the development of the oyster industry and the restoration of the public oyster reefs. Any person, firm or corporation failing to comply with the provisions of this provision, or of this act, shall, upon conviction, have their license cancelled to operate an oyster canning factory in Alabama, and said license shall be reissued only at the discretion of the commissioner of conservation.

Which was adopted.

Yeas, 23; nays, 0.

Yeas:

Messrs:

Acker	Carlton	Gunter	Phillips
Beale	Carmichael	Harper	Rogers (Sumter)
Bedsole	Cowan	Kelly	Sims
Briscoe	Craft	Miller	Smith (Lawrence)
Brown	Ellis	Moore	Tally
Butler	Espy	Morris	

—23

Nays:—None.

And said bill, as thus amended, was read a third time at length and passed.

Yeas, 22; nays, 0.

Yeas:

Messrs:

Acker	Carlton	Harper	Rogers (Lauderdale)
Beale	Carmichael	Kelly	Rogers (Sumter)
Bedsole	Cowan	Miller	Sims
Briscoe	Craft	Moore	Smith (Lawrence)
Brown	Espy	Morris	Tally
Butler	Gunter		

—22

Nays:—None.

The bill:

S. 247. To establish a child welfare department for the State of Alabama, to prescribe its duties, functions and powers, to provide for the appointment of an executive and other officers of such department, to define their duties, to provide for their compensation, and to provide for the maintenance and other expenses of such department.

Was taken up.

The Standing Committee on Finance and Taxation offered the following amendments to said bill, to-wit:

Amend section 7 by adding after the word: "misdemeanor" in line 15, the following:

Provided, however, that all such institutions now operating in the State shall be deemed *prima facie* as conforming in all respects to right standards and regulations, and it shall be the duty of the department to issue to every such institution a permit as herein required, but such institutions shall be subject to future inspections and to conformity to the standards and regulations which may be prescribed by the department.

Amend section 6 by adding at the end thereof the following:

Any such superintendent, manager or person in charge of such institutions, failing or refusing to allow such visitation or inspection or failing or refusing to make such reports or furnish the information to said department as herein provided for, shall be guilty of a misdemeanor. It is hereby made the duty of State solicitors or their assistants, to institute proceedings for the purpose of enforcing this law.

Which was adopted.

Yeas, 19; *nays*, 0.

Yeas:

Messrs:

Beale	Carmichael	Gunter	Rogers (Lauderdale)
Bedsole	Cowan	Harper	Sims
Briscoe	Ellis	Kelly	Smith (Lawrence)
Butler	Espy	Moore	Tally
Carlton	Evins	Morris	

—19

Nays:—None.

And said bill, as thus amended, was read a third time at length and passed.

Yeas, 20; nays, 0.

Yeas:

Messrs:

Beale	Carmichael	Gunter	Morris
Bedsole	Cowan	Harper	Rogers (Lauderdale)
Briscoe	Craft	Kelly	Sims
Butler	Ellis	Miller	Smith (Lawrence)
Carlton	Evins	Moore	Tally

—20

Nays:—None.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has passed the following Senate bills:

S. 323. To ratify, confirm, and validate the issuance of road improvement warrant No. 256 for work on the Peachtree road, by the court of county commissioners of Wilcox county, Alabama; and to ratify, confirm and validate all orders, decrees and contracts by said court of county commissioners necessary to authorize the legal issue of said warrants; and to authorize the treasurer of Wilcox county, Alabama, to pay the interest on said warrants according to its terms as same matures; and to authorize the treasurer of said Wilcox county to pay the principal on said warrant when same matures according to its terms.

S. 275. To provide that the clerk of the circuit court of Hale county, Alabama, shall be ex-officio clerk of the county court of said county, and to prescribe his duties as such, and to fix his compensation.

S. 223. To fix the salary of the judge of the county court in all counties having a population of not less than thirty-nine thousand one hundred ten (39,110) and not more than thirty-nine thousand two hundred (39,200) according to the Federal census of 1910 and provide for the payment of the same.

S. 315. To fix and provide for the payment out of the county treasury the salary of the deputy solicitor for Cullman county, Alabama, and to repeal all laws and parts of laws in conflict herewith.

S. 324. To repeal section seven of an act, Acts 1892-93, to regulate the fine and forfeiture fund of Wilcox county, and the payment of claims against said fund, and to provide funds for the payment of said claims.

And returns same herewith to the Senate.

Fred H. Gormley,
Clerk.

ADJOURNMENT.

At 7:45 P. M., on motion of Mr. Morris and pursuant to S. J. R. 121, heretofore adopted, the Senate adjourned until Wednesday morning, August 27th, 1919, at 10 o'clock.

THIRTY-NINTH DAY.

Wednesday, August 27, 1919.

The Senate met pursuant to adjournment, Lieutenant Governor Miller presiding.

PRAYER.

By Rev. Dr. Partridge, of the House of Representatives.

ROLL CALL.

Present:

Mr. President and
Messrs:

Acker	Cowan	Huddleston	Prestwood
Beale	Craft	Kelly	Rogers (Lauderdale)
Bedsole	Ellis	Leith	Rogers (Sumter)
Briscoe	Espy	Miller	Sims
Brown	Evins	Moore	Smith (Coosa)
Butler	Griffith	Morris	Smith (Lawrence)
Carlton	Gunter	McDowell	Tally
Carmichael	Harper	Phillips	West

—33

JOURNAL.

On motion of Mr. Briscoe, the reading of yesterday's Journal was dispensed with and same approved by the Senate.

INTRODUCTION OF BILLS.

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Beale:

S. 574. To authorize the board of revenue of Tuscaloosa county to exempt from labor on the roads of said county all persons who shall pay the secretary of said board, for the road and bridge fund of said county, five dollars and fifty cents on or before the first day of March in each year.

Public Roads and Highways.

(With notice and proof attached and herewith exhibited as follows:)

NOTICE OF LOCAL LAW.

Notice is hereby given that application will be made to the Legislature of Alabama at its present session of the passage of a law local to Tuscaloosa county in substance as follows:

A BILL

To be entitled an act to authorize the board of revenue of Tuscaloosa county to exempt from labor on the roads of said county all persons who shall pay the secretary of said board, for the road and bridge fund of said county, five dollars and fifty cents on or before the first day of March in each year.

Be it enacted by the Legislature of Alabama:

Section 1. That the board of revenue of Tuscaloosa county be and hereby is authorized to exempt from labor on the public roads of said county all persons liable to road duty under existing laws who shall pay to the secretary of said board the sum of five dollars and fifty cents on or before the first day of March of each year, for the road and bridge fund of said county.

Section 2. That all laws and parts of laws in conflict with the provisions of this act be and hereby are repealed.

The State of Alabama, }
County of Tuscaloosa, }
City of Tuscaloosa. }

Personally appeared before the undersigned, a duly appointed, qualified and acting notary public in and for the State, county and city aforesaid, Cecil E. Elliott, who being first duly sworn deposes and says that he is the advertising manager of the Tuscaloosa Daily News and Times-Gazette, a newspaper published in said city; and that the attached advertisement of a notice of a local law was given publication in the said paper in the issues of July 13, July 20, July 27 and August 4, 1919.

Witness the signature of the deponent this 23rd day of August, 1919.

Cecil E. Elliott.

Sworn and subscribed before me on the day and date above written: In testimony whereunto I have set my hand and official seal this 23rd day of August, 1919.

H. L. Findley,
Notary Public.

(Seal)

My commission expires April 4, 1923.

By Mr. Morris:

S. 575. To abolish the license or privilege tax now imposed upon owners of dogs.

Finance and Taxation.

Also:

S. 576. To prescribe the fees for recording deeds, mortgages and all other papers and documents now required by law to be recorded in the offices of probate judges in this State.

Finance and Taxation.

By Mr. Gunter:

S. 577. To amend section 1651 of the Code of Alabama.
Printing.

By Mr. Evins:

S. 578. To further define criminal conspiracy in this State.
Judiciary.

Also:

S. 579. To further regulate public service in this State.
Judiciary.

By Mr. Acker:

S. 580. To amend an act approved February 18, 1919, entitled, "An act to authorize the trial court to impose an indeterminate sentence in all felonies for which the court fixes the punishment; to provide for the parole of convicts under the indeterminate sentence, and to authorize the board of pardons to establish rules in the matter of paroles."

Judiciary.

Also:

S. 581. To amend an act approved April 22, 1911, entitled, "An act to provide bail pending an appeal in all felony cases where the defendant is sentenced to the penitentiary for a term of five years or less."

Judiciary.

Also:

S. 582. To authorize the appointment and employment of State parole agents for persons convicted of felonies and under parole by the governor or board of pardons, or under suspended sentence by the courts, to prescribe their duties and powers and to provide for their compensation, expenses and removal from office and to provide for a State organization to encourage interested in the reformation of such convicts to act as local parole agents, without compensation but with necessary expenses to be paid.

Judiciary.

Also:

S. 583. To authorize any circuit judge of this State, whenever any person shall be convicted of any non-capital felony or plead guilty thereto, when such person is over the age of sixteen years, if such conviction shall be the first conviction of the defendant of a felony, to suspend the execution of the sentence pronounced upon such person and place such person in custody of any suitable resident citizen of the State or State parole agent, during good behavior; and to provide for reports on such person and for the revocation of such suspended sentence by such judge

without notice and the arrest and committal of such person to serve such sentence.

Judiciary.

Also:

S. 584. To authorize the governor to employ a special force of not more than ten men to serve under his immediate direction and control, to assist him in his duty of taking care that the laws of the State are faithfully executed, and to provide compensation for their services.

Finance and Taxation.

REPORT OF COMMITTEE.

Mr. Acker, chairman of the Standing Committee on Judiciary, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Griffith:

S. 515. To amend section 3860 of the Civil Code of Alabama so as to authorize and provide the procedure for suits by the State of Alabama for the condemnation of lands for public uses.

REPORT FROM COMMITTEE ON ENGROSSED BILLS.

Mr. President:

Your Standing Committee on Engrossed Bills beg leave to report that said committee, in session, have examined and compared the following engrossed bills, with the originals, and find same correctly engrossed, to-wit:

S. 446. To provide that mechanics' and material men's lien and the right of enforcement thereof in Covington county, Alabama, shall attach and apply to property of a married woman where the service or labor is performed or the materials furnished with her knowledge and consent under a contract with the husband, and upon property owned jointly by husband and wife when the service or labor is performed or materials furnished under a contract with either or both, with the knowledge and consent of the other; to provide that no homestead right shall defeat such lien or the enforcement thereof; and to prescribe what shall be deemed to be consent within the meaning of this act.

S. 474. To designate the register in chancery of all counties having a population of not less than 36,000 and not more than 37,000, as acting treasurer of their respective county, where the commissioners court, county board of revenue or like gov-

erning body, fails, neglects or refuses to designate any bank in said county as a repository of county funds as now provided by law; to fix the salary to be paid such register in chancery for his services as acting county treasurer and to provide for the payment of the same.

S. 247. To establish a child welfare department for the State of Alabama, to prescribe its duties, functions and powers, to provide for the appointment of an executive and other officers of such department, to define their duties, to provide for their compensation, and to provide for the maintenance and other expenses of such department.

R. B. Evins,
Chairman.

RECOMMITMENT OF BILL.

On motion of Mr. Smith of Coosa, the bill:

S. 382. To regulate and provide for the military forces of the State of Alabama, and to promote its efficiency; to prescribe rules, regulations and means for its organization, armament, equipment, discipline, control and supervisions; to provide for its maintenance, support and upkeep; to provide means for the enforcement of this act; and to fix penalties and punishments for the violation of this act.

Was taken from today's calendar and re-referred to the Standing Committee on Finance and Taxation.

RECONSIDERATION OF VOTE.

Mr. Craft moved that the vote by which the Senate on the last legislative day passed:

H. 687. To conserve and save from depletion the public oyster reefs of Alabama, and to further regulate the taking of oysters from the public reefs of the State, and for the protection of and extension of such reefs, and the development of the oyster industry, to declare such oysters the property of the State and to prescribe the condition under which such title may be divested and such oysters become articles of commerce, to provide for the payment of a license and tax by those catching, selling, or transporting the same, the rules of evidence on the trials of those violating the provisions of this act, who may try such cases, provide penalties for the violation of this act, and that all expenses incurred in carrying the provisions of same into effect shall be paid out of the oyster fund.

Be reconsidered, which motion prevailed and said vote was reconsidered.

Mr. Craft then moved that the vote by which said bill was ordered to an engrossment and third reading, be reconsidered, which motion prevailed and said vote was reconsidered.

Mr. Craft then moved that the vote by which the Senate adopted amendments to said bill set out in the Journal of the last legislative day, be reconsidered, which motion prevailed and said vote was reconsidered.

Mr. Craft then moved that said amendments be laid on the table, which motion prevailed and said amendments were laid on the table.

Mr. Craft then offered the following amendment to said bill, to-wit:

Amend the bill by adding after the last word in section 1 the following:

"All licenses imposed by this section shall be dated when issued and shall expire on the 31st day of August in each year."

Also amend the bill by adding section 1½ as follows:

"Section 1½. That it shall be unlawful for any person to sell, barter, exchange or give to any person, firm or corporation any oysters, taken from the waters of Alabama, after having been notified in writing by the chief oyster inspector to the effect that such persons, firm or corporation, which the chief oyster inspector shall name in his notice, have failed or refused to pay the tax on oysters, herein laid, or to make the reports in writing, herein required, or failed to comply with the other provisions of this act, and in the event such oyster catcher or master of a boat handling oysters sells, exchanges, barter or gives away oysters, taken from the public reefs and waters of this State, to the persons, firms or corporations named in the notice, as not having complied with the provisions of this act, then the commissioner of conservation shall enter cancellation of the license to take or catch oysters against the person, or master of the boat, offending against this section, which license shall not be reissued except at the discretion of the commissioner of conservation."

Which was adopted.

Yeas, 21; nays, 0.

Yeas:

Messrs:

Acker	Craft
Beale	Ellis
Bedsole	Evins
Briscoe	Gunter
Carlton	Harper
Cowan	

Kelly
Miller
Moore
McDowell
Phillips

Prestwood
Rogers (Lauderdale)
Smith (Coosa)
Smith (Lawrence)
Tally

--21

Nays:—None.

And said bill, as thus amended, was again read a third time at length and passed.

Yeas, 21; nays, 0.

Yeas:

Messrs:

Acker	Craft	Kelly	Rogers (Lauderdale)
Beale	Ellis	Miller	Sims
Bedsole	Evins	Moore	Smith (Coosa)
Briscoe	Gunter	McDowell	Smith (Lawrence)
Carlton	Harper	Phillips	Tally
Cowan			

—21

Nays:—None.

BILL TAKEN FROM ADVERSE CALENDAR.

Pursuant to notice heretofore given, Mr. Cowan moved to take from the adverse calendar, have the same read a second time and placed on the regular calendar, the bill:

S. 306. To define optometry; to provide for the regulation of the practice; to provide for the examination of applicants to practice optometry in Alabama; to provide for the issuing of licenses and certificates and the registration and display thereof; to provide for reports by probate judges of said registrations; to provide for the revoking or refusing to issue said licenses and certificates; to provide for a State board of optometry; to provide for the appointment of members thereof, and prescribe their duties, powers, qualifications, terms of office and compensation; to provide for the disposition of fees collected by said board; to provide fees and funds for enforcing said act; to provide for enforcing said act; to allow the board to enter into reciprocity agreements with like boards of other states; to provide penalties and punishments for violations of the provisions of said act; and to repeal all general and local laws in conflict with said act."

Which motion prevailed, and said bill was taken from the adverse calendar, read a second time and placed on the regular calendar for a third reading on tomorrow.

BILL RECOMMENDED.

On motion of Mr. Cowan, the bill:

H. 458. Relating to dependent, neglected, or delinquent children in all counties of Alabama which have a population of as many as eighty-two thousand people, and not more than one hundred thousand, according to the last Federal census; to define who are dependent, neglected or delinquent children; to declare

that such children shall be wards of the State; to provide for their custody, discipline, supervision, care, protection, guardianship and welfare; to create and establish in such counties such juvenile courts, and to provide for their equipment and maintenance; to create and confer upon such courts jurisdiction, under the terms of this act, to try and determine the question of dependency, neglect or delinquency of children in such counties, and when found to be such to adjudicate and determine all questions as to their guardianship, custody, supervision, discipline, care, control, protection and training; and generally to confer upon such courts jurisdiction and power to try and determine all questions arising under the terms of this act, or which may otherwise be referred to them by law, for adjudication; or which may be necessary or convenient to the exercise of such jurisdiction, or to carry out the purpose and intent of this act; to provide for the trial and punishment of those who aid, abet, cause or connive at, or contribute to the delinquency, neglect or dependency of such children; to provide and regulate the procedure in such cases, and to confer power upon such courts, to make such rules and regulations and to devise such forms, where not otherwise provided for under the terms of this act, as shall be found necessary or convenient to the exercise of its jurisdiction, or for the conduct of probation officers or their work, as provided for in the act; to provide for the taking and enforcement of recognizances and bonds; and for the taking of appeals from the decisions of such courts; to provide for the trials of any delinquent in a criminal court of competent jurisdiction who has shown himself or herself to be unamenable to the discipline under the terms of this act; and for the appointment of an advisory board to such courts, and to define the duties and powers of such boards; to provide for the appointment of the judge or other officers of such courts and to define their powers and duties, and to provide for their compensation; to declare that should any part of this act be found unconstitutional that it will not affect the remainder thereof, and to provide for the repeal of all laws in conflict with this act.

Was taken from today's calendar and re-referred to the Standing Committee on Public Health.

BILL RECOMMENDED.

On motion of Mr. Morris, the bill:

H. 316. To provide for a census, or enumeration, of all persons enrolled in any branch of the military, naval, marine, or aviation service or other service, of the United States, during

the Mexican border troubles and during the European war, and to provide compensation therefor.

Was taken from today's calendar and re-referred to the Standing Committee on Finance and Taxation.

BILLS ON THIRD READING.

The bill:

H. 470. To make it unlawful to solicit orders from or sell to tenants or laborers or others on plantations in Dallas county certain articles without the consent of certain persons; to prescribe the penalty for the violation of this act and to confer on justices of the peace jurisdiction to try causes arising hereunder.

Was read a third time at length and passed.

Yeas, 21; nays, 0.

Yeas:

Messrs:

Acker	Ellis	Kelly	Rogers (Lauderdale)
Beale	Evins	Miller	Sims
Briscoe	Gunter	Morris	Smith (Coosa)
Carlton	Harper	Phillips	Smith (Lawrence)
Cowan	Huddleston	Prestwood	Tally
Craft			

—21

Nays:—None.

The bill:

H. 703. To prescribe the qualifications, duties and compensations of coroners and their assistants; making it unlawful for any one to remove or disturb the body of a person whose death is due to violence before an inquest by the coroner if he deems it necessary; to make it the duty of the sheriff to execute any, and all, process directed to him by the coroner in the discharge of his official duties; to authorize coroners to punish contempts, to authorize and empower coroners to perform autopsies upon the bodies of persons who have died by violence when necessary to ascertain the causes of death, to prescribe the pay of witnesses and jurors in proceedings by coroners; to authorize any person to pick up and to secure the bodies of any deceased person found in any of the waters or streams in any of the counties embraced in this act and to further provide for their compensation for so doing; this act shall embrace and shall apply only to counties in this State containing not less than eighty thousand nor more than eighty-one thousand inhabitants; according to the last Federal census, and shall repeal all laws and parts of laws in conflict with this act.

Was read a third time at length and passed.

Yeas, 18; nays, 0.

Yeas:

Messrs:

Beale	Ellis	Miller	Rogers (Lauderdale)
Bedsole	Gunter	Morris	Smith (Coosa)
Carlton	Harper	Phillips	Smith (Lawrence)
Cowan	Huddleston	Prestwood	Tally
Craft	Kelly		

—18

Nays:—None.

The bill:

H. 594. To repeal an act to provide for the better construction, repairing, working and maintaining of public roads and bridges in Clay county, Alabama, approved March 29th, 1911.

Was read a third time at length and passed.

Yeas, 20; nays, 0.

Yeas:

Messrs:

Beale	Craft	Huddleston	Rogers (Lauderdale)
Bedsole	Ellis	Kelly	Sims
Briscoe	Evins	Miller	Smith (Coosa)
Carlton	Gunter	Moore	Smith (Lawrence)
Cowan	Harper	Phillips	Tally

—20

Nays:—None.

The bill:

S. 364. To amend section 4242 (2112) of the Code of Alabama, 1907.

Was taken up.

The Standing Committee on Agriculture offered the following amendment to said bill, to-wit:

Amend the title so as to read as follows:

“To define the lawful fences in all counties the population of which by the last Federal census was not less than 80,000 nor more than 82,000.”

Amend the first paragraph of section 1 so as to read as follows:

“Lawful fences in all counties of this State whose population by the last Federal census was not less than 80,000 nor more than 82,000, shall be constructed as follows.”

Amend the bill by striking out the words which follow the words: “Be it enacted by the Legislature of Alabama” and coming before the words: “Section 1.”

Which was adopted.

Yeas, 21; nays, 0.

*Yeas:**Messrs:*

Acker	Craft	Huddleston	Prestwood
Beale	Ellis	Kelly	Sims
Bedsole	Evins	Miller	Smith (Coosa)
Briscoe	Gunter	Morris	Smith (Lawrence)
Carlton	Harper	Phillips	Tally
Cowan			

—21

Nays:—None.

And said bill, as thus amended, was read a third time at length and passed.

Yeas, 21; nays, 0.

*Yeas:**Messrs:*

Acker	Craft	Huddleston	Prestwood
Beale	Ellis	Kelly	Sims
Bedsole	Evins	Miller	Smith (Coosa)
Briscoe	Gunter	Morris	Smith (Lawrence)
Carlton	Harper	Phillips	Tally
Cowan			

—21

Nays:—None.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has concurred in and adopted the Senate amendments to the bills:

H. 412. To authorize and require the city school board, or city board of education, or by whatever name called, in all cities or towns of this State having a population of not less than 38,000 nor more than 40,000, according to the last or any succeeding Federal census, to provide pension or retiring allowance for teachers who have served in the public schools of such city or town.

Also:

H. 527. For the protection of salt water shrimp, to provide the manner in which said crustaceans may be caught, taken and marketed, to fix the season during which they may be caught, to authorize the issuance of licenses to persons seining for salt water shrimp, to provide a tax on all salt water shrimp taken in the waters within the State of Alabama, and to provide penalties for the violation of the provisions of this act.

Also:

H. 580. To prohibit stock from running at large in subdivisions of a voting precinct, or beat, or in subdivisions of a county less than a voting precinct or beat in all counties having

a population of as much as twenty thousand two hundred and ten and not more than twenty thousand two hundred and fifty, according to the Federal census of 1910; to provide for the removal of gates across public roads used to enclose such free or common range; and to fix penalties for the violation of the provisions of this act.

Fred H. Gormley,
Clerk.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has originated and passed the following bills:

H. 690. To amend an act entitled, "An act to require the bodies of all dead animals to be burned or buried and to provide a penalty for the failure to do so," approved September 22, 1915.

Also:

H. 471. For the relief of Rev. J. E. Deer, of Escambia county, Alabama.

With notice and proof attached hereto and exhibited as follows:

LEGAL NOTICE.

Legal notice is hereby given that I will introduce the following bill in the Legislature of Alabama at the present session and will also advocate its passage unless sufficient and proper objection is made to me after this notice and said bill has been duly published in The Atmore Record, a weekly newspaper published in Escambia county, Alabama, for four consecutive weeks after this date.

Witness this, the 25th day of January, 1919.

Sidney M. Jones,
Representative of Escambia County, Alabama.

A BILL

Entitled an act for the relief of Rev. J. E. Deer, of Escambia County, Alabama.

Be it enacted by the Legislature of Alabama:

Section 1. That, whereas, the Rev. J. E. Deer, of Escambia county, Alabama, and a minister of the Gospel, has, at the request of the State chaplain, preached and labored with the State convicts at the Bagdad Land and Lumber Company, and the Dixie Turpentine Company, for two years during the years of 1916, 1917 and 1918, and has distributed Bibles amongst said convicts and paid his traveling expenses and has personally borne all of such expense at his own private cost and without pay or reward from the State, and whereas, it is not the policy of the State of Alabama to require such needed services without some compensary that is deemed just and reasonable therefor.

Sec. 2. Said Rev. J. E. Deer is hereby allowed the sum of twelve dollars and fifty cents (\$12.50) per month for the thirty-four (34) months he has served said State convicts, and State treasurer is ordered and directed to issue him a warrant for the sum of four hundred and twenty-five dollars

(\$425.00), said sum having been duly recommended and approved by the court of county commissioners of Escambia county, Alabama.

Ordered by the court of county commissioners of Escambia County, Alabama, as follows:

Section 1. That, whereas, the Rev. J. E. Deer, of Escambia county, Alabama, and a minister of the Gospel, has at the request of the State chaplain, preached and labored with the State convicts at the Bagdad Land and Lumber Company and the Dixie Turpentine Company, for two years during the years 1916, 1917 and 1918, and has distributed Bibles amongst said convicts and has paid his travelling expenses and personally borne all of such expenses at his own private cost, and without pay or reward from the State, and whereas Escambia county has no power to relieve him but it is the belief of this court that it is not the policy of the State of Alabama to accept such needed services without some compensation that is deemed just and reasonable; therefore,

Sec. 2. That we hereby request the Alabama Legislature and our representatives and senators to pass a resolution or general for the relief of Rev. J. E. Deer and allow him the sum of twelve dollars and fifty cents (\$12.50) per month for thirty-four (34) months, being the time he served said convicts, amounting in all to four hundred and twenty-five dollars (\$425.00), as said claim in our judgment is very meritorious and just, and we know of our own personal knowledge that Rev. J. E. Deer is a man of the highest character and integrity, and his finance is such that it would not be right to expect so much from a poor preacher whose zeal in a good cause has caused him to do so much without compensation whatever.

Sec. 3. Witness the members present of the commissioners' court on this the 7th day of January, 1919.

S. L. McGowin,
M. R. McLellan, Judge.
E. E. Jackson,
J. J. Bullock,

A true copy.

M. R. McLellan,
Judge of Probate.

PROOF OF PUBLICATION.

I, W. F. Higdon, the publisher of a weekly newspaper in Escambia county, Alabama, namely, The Atmore Record, do hereby state under oath that the annexed printed words and figures is a true copy of the publication in said newspaper and is clipped from one of the original issues of said newspaper and that said words and figures appeared in said newspaper for 3 consecutive weeks, on the following dates, to-wit: February 13, 1919; February 20, 1919; February 27, 1919.

I have personal knowledge of the foregoing facts and make this statement under oath, and that my cost bill of the same isdollars.

W. F. Higdon,
Publisher of said newspaper.

Sworn and subscribed before me on this the 9th day of July, 1919.

J. M. Northrop, N. P.

Also:

H. 508. To empower and direct the court of county commissioners of Henry county, Alabama, to pay from the general fund of said county for the publication of notices of intention to apply

for the enactment of local laws for said county when the same are applicable to the entire county.

With notice and proof attached hereto and exhibited as follows:

NOTICE.

Is hereby given of application for passage by the Alabama Legislature when it reconvenes in regular session July 8th, 1919, of the following local act for Henry county, to-wit:

A BILL

To be entitled an act to empower and direct the court of county commissioners of Henry county, Alabama, to pay from the general fund of said county for the publication of notices of intention to apply for enactment of local laws for said county when the same are applicable to the entire county.

Be it enacted by the Legislature of Alabama:

Section 1. That on and after the passage of this act the court of county commissioners of Henry county, Alabama, is hereby empowered and directed to pay from the general fund of said county the cost of publication of notices of intention to apply to said Legislature for enactment of local laws of said county, when such laws are applicable to the entire county, when so determined by the court of county commissioners of said county. This act shall apply to such laws as are passed by the present session as well a future sessions of said Legislature.

Deemed by the court of county commissioners of Henry county, Alabama, at its June term, 1919, as applicable to the said entire county.

H. W. Owens,
Judge of Probate, as Chairman.

PROOF OF NOTICE OF PUBLICATION.

State of Alabama, }
Henry County. }

Personally appeared before me, H. W. Owens, judge of probate in and for said county, H. H. Golson, who being duly sworn, deposes and says that he is editor and publisher of The Abbeville Herald, a newspaper published in the town of Abbeville, in said county, which has a general circulation in said county, in which newspaper was published for four consecutive weeks the foregoing and attached law, on dates, to-wit: June 12th, 19th and 26th, also July 3rd, 1919.

H. H. Golson.
Editor and Publisher.

Sworn and subscribed to before me, this July 9, 1912.

H. W. Owens,
Judge of Probate.

Also:

H. 588. To fix the salary of the judge of probate of Montgomery county, Alabama, and allowance for clerical help and other expenses in said office, and to provide for payment thereof.

With notice and proof attached hereto and exhibited as follows:

NOTICE

Is hereby given that the following bill will be introduced in the Legislature of Alabama at its adjourned session, beginning July 8th, 1919, to-wit:

A BILL

To be entitled an act to fix the salary of the judge of probate of Montgomery county, Alabama, and allowance for clerical help and other expenses in said office, and to provide for payment thereof.

Be it enacted by the Legislature of Alabama, That the salary of the judge of probate of Montgomery county shall be five thousand dollars per annum net, and an allowance of seventy-eight hundred dollars per annum for office help, as follows: One clerk at twenty-one hundred dollars per annum; one clerk at eighteen hundred dollars per annum; one clerk at fifteen hundred dollars per annum; one clerk at twelve hundred dollars per annum; and twelve hundred dollars per annum for all other expenses, including extra clerks and ex-officio services of the judge of probate. The said twelve hundred dollars to be paid to the judge of probate in monthly installments and disbursed by him.

All of said amounts to be paid out of the general funds of the county in monthly installments.

Section 2. That this act shall go into effect immediately upon its passage and approval.

Section 3. That all laws and parts of laws, local, general or special, in conflict with the provisions of this act be, and the same are hereby, repealed.

State of Alabama, }
County of Montgomery. }

Personally appeared before me, William Berridge, a notary public in and for said State and county, C. C. Glantz, who, being duly sworn, deposes and says that he is bookkeeper of the Montgomery Times, a newspaper published in Montgomery, in said State and county, and that the notice (a true copy of which is hereto attached) was published in said paper for three consecutive weeks (one insertion each week) commencing on the 25th day of June, 1919.

Given under my hand this 9th day of July, 1919.

Wm. Berridge,
Notary Public, Montgomery County, Alabama.

Also:

H. 744. To ratify a resolution of the board of revenue of Jefferson county, Alabama, compromising the claim of Mrs. Effie McMickens against Jefferson county.

With notice and proof attached hereto and exhibited as follows:

AN ACT

Entitled an act to ratify a resolution of the board of revenue of Jefferson county, Alabama, compromising the claim of Mrs. Effie McMickens against Jefferson county.

Section 1. Be it enacted by the Legislature of Alabama that the resolution adopted by the board of revenue of Jefferson county, Alabama, on the 4th day of January, 1918, compromising the claim of Mrs. Effie McMickens against Jefferson county for the death of her husband, Lee Mc-

Mickens, while operating a road machine for said county for the sum of \$1,000.00 be and same is in all things hereby ratified and confirmed.

Effie McMickens.

State of Alabama, }
Jefferson County. }

Personally appeared before me, J. A. Lipscomb, a notary public in and for the said county and State, Wm. H. H. Judson, who being by me duly sworn, deposes and says, that he is proprietor and publisher of The Bessemer (Alabama) Weekly, a newspaper of general circulation published weekly in Jefferson county, Alabama; that the notice hereto attached was published in said paper once a week for four consecutive weeks, prior to ~~July 24th, 1919, said notices appearing~~ in the issues of the following dates, viz: June 28th, July 5th, 12th, 19th; that the matter or thing to be affected is situated in the said county of Jefferson, State of Alabama.

Wm. H. H. Judson.

Sworn to and subscribed before me, this the 24th day of July, 1919.

L. A. Lipscomb,
Notary Public.

Also:

H. 769. To authorize the court of county commissioners of Bibb county, Alabama, to issue interest bearing warrants to officers and employees of said county in settlement of claims against the county for services when the county is unable to pay for such services when such claims accrue.

With notice and proof attached hereto and exhibited as follows:

LEGAL NOTICE.

Notice is hereby given that application will be made to the present session of the Legislature of Alabama to pass a law authorizing the court of county commissioners of Bibb county, Alabama, to issue interest-bearing warrants to officers and employees of the county in payment of their claims against the county when the county is unable to pay such claims at the time same accrue.

The State of Alabama, }
Bibb County. }

Before me, Grace Avery, notary public in and for said State and county, personally appeared L. H. Nunnelee, who being by me first duly sworn, deposes and says:

That he is publisher of the Centerville Press, a newspaper published in Bibb county, Alabama, at Centerville. That the attached notice, marked exhibit "A," was published in the said Centerville Press for four consecutive weeks, as follows: First insertion appearing in said paper on June 19, 1919; second insertion appearing on June 26th, 1919; third insertion appearing on July 3rd, 1919, and the fourth insertion on July 10th, 1919.

L. H. Nunnelee.

Sworn to and subscribed before me, this August 6th, 1919.

(Seal.) Notary Public, Bibb County, Alabama.
Grace Avery,

Also:

H. 770. To divide Conecuh county, Alabama, into four commissioners districts; to provide for the election of county com-

missioners for said county from each of such districts by the qualified electors of said districts; to provide for elections at which the county commissioners for said county shall be elected and to provide for and fix their term of office.

With notice and proof attached hereto and exhibited as follows:

NOTICE.

Is hereby given of the intention to apply to the Legislature of Alabama, at its session to be assembled in January, 1919, for the passage of an act in substance as follows: To divide Conecuh county, Alabama into four commissioners districts; to provide for the election of county commissioners for said county from each of such districts by the qualified electors of said districts; to provide elections at which the county commissioners for said county shall be elected, and to provide for and fix their term of office.

The State of Alabama, }
Conecuh County. }

Before me, F. J. Dean, a notary public in and for said State and county, personally appeared George W. Salter, Jr., who, being by me first duly sworn, deposes and says that he is the editor and publisher of The Evergreen Courant, a newspaper published weekly at Evergreen in said State and county; that the above and foregoing notice was published in the said The Evergreen Courant for four consecutive weeks in the issues of December 25th, 1918; January 1st, 8th and 15th, 1919.

Geo. W. Salter, Jr.,
Editor and Publisher.

Subscribed and sworn to before me this the 22nd day of July, 1919.

F. J. Dean,
Notary Public Conecuh County, Alabama.

Also:

H. 772. To require the commissioners court of Conecuh county, Alabama, to publish the minutes of its proceedings at each regular, special and adjourned term in a newspaper printed and published in said county; to require such court to designate the newspaper in which such publication shall be made, to provide for the furnishing of copy to the publisher of such newspaper for publication, and to provide compensation out of the county treasury of said county for furnishing such copy for publication and for publishing same.

With notice and proof attached hereto and exhibited as follows:

NOTICE.

Is hereby given of the intention to apply to the Legislature of Alabama, to convene in January, 1919, for the passage of an act in substance as follows: To require the commissioners court of Conecuh county, Alabama, to publish the minutes of its proceedings at each regular, special and adjourned term in newspaper printed and published in said county; to require such court to designate the newspaper in which such publication shall be made; to provide for the furnishing of copy to the publisher of such newspaper for publication, and to provide compensation out of the treasury of

said county for furnishing such copy for publication and for publishing same.

The State of Alabama, }
Conecuh County. }

Before me, F. J. Dean, a notary public in and for said State and county, personally appeared Geo. W. Salter, Jr., who, being by me first duly sworn, deposes and says that he is the editor and publisher of the Evergreen Courant, a newspaper published weekly at Evergreen in said State and county; that the above and foregoing notice was published in the said The Evergreen Courant for four consecutive weeks in the issues of December 25th, 1918; January 1st, 8th and 15th, 1919.

Geo. W. Salter, Jr.,
Editor and Publisher.

Subscribed and sworn to before me, this the 5th day of August, 1919.

F. J. Dean,
Notary Public, Conecuh County, Alabama.

Also:

H. 773. To authorize the court of county commissioners of the county of Conecuh in the State of Alabama to appropriate out of the funds in the treasury of said county, an amount not exceeding one hundred dollars per annum, sufficient to pay the premium for making and insuring the bond of the tax collector of said county where such bond is made and insured by a duly qualified guarantee company.

With notice and proof attached hereto and exhibited as follows:

NOTICE.

Pursuant to constitutional requirement, notice is hereby given that application will be made to the Legislature of Alabama at its session to be assembled in July, 1919, for the passage of an act in substance as follows: To authorize the court of county commissioners of Conecuh county, Alabama, to appropriate out of the funds in the treasury of said county, an amount not exceeding one hundred dollars per annum, sufficient to pay the premium for making and insuring the bond of the tax collector of Conecuh county where such bond is made and insured by a duly qualified guaranty company.

The State of Alabama, }
Conecuh County. }

Before me, F. J. Dean, a notary public in and for said State and county, personally appeared Geo. W. Salter, Jr., who, being by me first duly sworn, deposes and says that he is the editor and publisher of the Evergreen Courant, a newspaper published weekly at Evergreen in said State and county; that the above and foregoing notice was published in the said The Evergreen Courant for four consecutive weeks in the issues of June 26th, July 3rd, 10th and 17th, 1919.

Geo. W. Salter, Jr.,
Editor and Publisher.

Subscribed and sworn to before me, this the 26th day of July, 1919.

F. J. Dean,
Notary Public.

Also:

H. 787. To establish an inferior criminal court for Jefferson county, Alabama, to define the jurisdiction and powers of said court, the judge, clerk, and other officers thereof; to provide for a place of holding said court, terms and salaries of said judge and officers of said court, the manner of their appointment and election, and the payment of their salaries.

With notice and proof attached hereto and exhibited as follows:

NOTICE.

Is hereby given that a bill will be introduced for passage in the Legislature of Alabama, at its next session, to be entitled:

An act to establish an inferior criminal court for Jefferson county, Alabama, to define the jurisdiction and powers of said court, the judge, clerk and other officers thereof; to provide for a place of holding said court, terms and salaries of said judge and officers of said court, the manner of their appointment and election, and the payment of their salaries.

The substance of said bill will be as follows:

AN ACT

To establish an inferior criminal court for Jefferson county, Alabama; to define the jurisdiction and powers of said court, the judge, clerk and other officers thereof; to provide a place of holding said court; terms and salaries of said judge and officers of said court the manner of their appointment and election, and the payment of their salaries.

Be it enacted by the Legislature of Alabama:

Section 1. That there is hereby created and established in and for the county of Jefferson, State of Alabama, a court which shall be known as and called, "Jefferson county court of misdemeanors," which said court is hereby invested with and shall have and exercise in said county original and final jurisdiction of all misdemeanors committed in said county and concurrent jurisdiction with the circuit court of said county in misdemeanor cases, the same as is now or as hereafter may be conferred by law on said circuit court, but shall try all persons charged with an offense without a jury, provided, however, that the jurisdiction of said court to try cases shall not include those offenses triable in the juvenile court of said county; and said Jefferson county court of misdemeanors shall have preliminary jurisdiction in all felony cases committed in the county of Jefferson that is now or such as hereafter may be conferred by law upon justices of the peace of said county, or upon inferior courts created in lieu of justices of the peace in said county.

Said court, except as in this act otherwise provided, in exercising the jurisdiction and powers conferred by this act in all cases wherein the defendant is charged with a felony, shall conform to and be governed by the rules and practice and procedure, and shall have the same power and authority, as is now conferred by law upon justices of the peace in this State, and, except as herein otherwise provided, in all cases wherein the defendant is charged with a misdemeanor, said court shall have the same power and authority and shall conform to and be governed by the rules of practice and procedure, evidence and punishment as govern circuit courts and courts of like jurisdiction in this State in so far as applicable, otherwise all of the provisions of the statutes and laws, provided for the trial and procedure of criminal cases in the county courts of this State, shall govern and apply as

far as applicable to this court, provided, however, that the judge of this court shall have the authority to adopt such rules of practice and procedure as is not inconsistent with this act as in his discretion is necessary for the proper dispatch of the business of the court. That no trial or prosecution shall be instituted in this court by indictment, but all trials or prosecutions instituted in said court shall be upon affidavit and warrant as prescribed by law for the institution of trials and prosecutions in the county courts of this State.

Section 2. That the judge of the second division of the municipal court of Birmingham, Alabama, shall act as the ex-officio judge of the Jefferson county court of misdemeanors until January 1, 1923, and until a judge has been appointed and qualified as hereinafter provided.

The judge of said Jefferson county court of misdemeanors shall have been a resident of Jefferson county for at least one year, shall have been admitted to practice law within the State of Alabama, shall be at least twenty-five years of age, and shall be a qualified elector of and reside in said county during his term of office. The term of office of such judge, except as herein otherwise provided, shall be for the period of four years, and until his successor is elected or appointed and qualified.

The judge of the Jefferson county court of misdemeanors, after the expiration of said term of the judge of the second division of the municipal court of Birmingham, Alabama, as said ex-officio judge, shall be appointed by the judges of the circuit court of Jefferson county, Alabama, said appointment to be made by a majority in number of said circuit court judges. That for the purpose of making such appointment the presiding judge of the circuit court of Jefferson county, Alabama, or in his absence or disability, the senior judge of the criminal division of said circuit court shall call a meeting of all of the judges of said circuit court at a place to be designated by him, giving at least one day's notice of the time and place of said meeting, at which said meeting, the judge calling the same, shall preside and shall designate some clerk of said circuit court as secretary of said meeting, and the person receiving the vote of a majority of said judges so attending said meeting, shall be declared elected and the judge presiding shall certify the same in writing and the same shall be recorded in the office of the judge of probate of Jefferson county, Alabama. A majority of the judges of the said circuit court shall constitute a quorum for the purpose of holding said election. All vacancies in the office of the judge of said court shall be filled by appointment by the judges of the said circuit court as hereinabove provided.

In case the judge of said court shall be unable to discharge the duties of his office by reason of sickness, disqualification or inability to hold said court for a period of not more than ten days, it shall be the duty of said judge to appoint some practicing attorney, resident of said county, as special judge, but in case the judge of said court by reason of sickness or otherwise is incapacitated to hold court for a longer period than ten days, it shall be the duty of the presiding judge of the circuit court of Jefferson county, or in his absence or inability to perform such duty, the senior judge of the criminal division of said circuit court, at the expiration of this time, to appoint some person qualified to act as judge of said court to act as special judge of said court until the judge of said court shall be able to return to duty, and the special judge herein provided for shall perform all the duties imposed upon the judge of said court, during the illness, disqualification or inability of said judge, and shall be entitled to receive the same compensation as the regular judge of said court during his period of service.

Section 3. That the said ex-officio judge of said Jefferson county court of misdemeanors shall receive as compensation for his services as such ex-officio judge of said court the sum of six hundred dollars per annum, payable in equal monthly installments of fifty dollars out of the county treasury of Jefferson county, Alabama, and upon his warrant drawn upon the county treasurer, which shall be in addition to his salary received for his services as judge of the second division of the municipal court of Birmingham.

Section 4. That the judge of said court, except as herein otherwise provided, and after the term of the ex-officio judge has ended, shall receive a salary of thirty-six hundred dollars per annum, payable in equal monthly installments of three hundred dollars out of the county treasury of Jefferson county upon his warrant drawn upon the county treasurer.

Section 5. That the judge, other than said ex-officio judge, of said court, before entering upon the duties of his office, shall take the oath of office in form required by law to be taken by the judges of the circuit courts of Alabama. The judge of said court may be removed from office for the causes and in the manner now provided by law for the circuit court judges of this State.

Section 6. That the judge of said court, other than said ex-officio judge, shall be commissioned by the governor of Alabama.

Section 7. That it shall be the duty of the board of revenue of Jefferson county, Alabama, to provide a proper place at the court house of said county, in Birmingham, for holding said court and to provide for the comfort and necessary accommodations therefor and to provide said court with all necessary blanks, stationery, dockets, books, seal and other appurtenances.

Section 8. That the judge of said court shall be a magistrate and conservator of the peace, may take affidavits and issue warrants in felony cases returnable before himself or other magistrates having jurisdiction, and may take affidavits and issue warrants for misdemeanors directly returnable to himself when said court shall have final jurisdiction of the offense, or in cases where said court does not have final jurisdiction to any court having final jurisdiction thereof. And in addition said judge may take affidavits and issue warrants for misdemeanors directly returnable to any other court having final jurisdiction thereof, although this court also has final jurisdiction of said misdemeanor. For his services in taking affidavits and issuing warrants the said judge is entitled to the compensation now provided by law to justices of the peace, or which may hereafter be provided, which shall be taxed and collected as such costs are now taxed and collected in criminal cases, and when said costs shall have been collected they shall be paid into the county treasury by the clerk who shall collect and receive said costs.

The judge of said court shall require the clerk of said court, herein-after provided for, to perform all the duties herein prescribed for the clerk of said court, and shall superintend the said clerk in the execution of all the duties herein prescribed for him.

The judge of said court shall have power to punish for contempt in cases where the judges of the circuit court of this State can punish for contempt, by a fine not exceeding fifty dollars, and by imprisonment not exceeding five days, one or both. The said court herein provided for shall be a court of record with a seal, and the judge or clerk thereof shall have authority to certify the records and proceedings of said court. The judge of said court shall adopt a seal for said court, which shall be kept in the custody of the clerk.

The judge of said court shall have authority to perform marriage ceremonies, such as is now possessed by justices of the peace.

Section 9. That the clerk and deputy clerk of the second division of the municipal court of Birmingham, Alabama, shall act as the ex-officio clerk and the ex-officio deputy clerk, respectively, of the said Jefferson county court of misdemeanors until January 1, 1923, and until a clerk has been appointed and qualified as hereinafter provided. The judge of said Jefferson county court of misdemeanors, after January 1, 1923, shall appoint a clerk for said court, who shall hold office at the discretion of the judge appointing him, and who shall be a qualified elector in said county, and who shall exercise and perform all the duties and powers conferred and prescribed for the clerk of said court. The clerk, other than the ex-officio clerk herein provided for, shall give bond, with surety, in the penal sum of two thousand dollars, payable to the State of Alabama, and conditioned to faithfully discharge the duties of such office, which bond shall be approved by and filed in the office of the judge of probate of Jefferson county, Alabama, and which bond shall also be conditioned to pay over all money to the proper officers and persons to whom it is payable, and to faithfully account for all the money coming into his hands by virtue of his office, and said bond can be given in any solvent guaranty and indemnity company, and upon the said bond there shall be the same liabilities and remedies as upon a bond of the clerk of the circuit court of said county.

The bond of the ex-officio clerk of said court as executed by him as clerk of the second division of the municipal court of Birmingham, Alabama, shall be binding on said clerk for the proper discharge of his duties as ex-officio clerk of this court. The clerk, other than the said ex-officio clerk, of said court shall receive a salary of twenty-four hundred dollars per annum, payable in equal monthly installments out of the county treasury of Jefferson county by warrant drawn by the judge of said court, showing that such clerk has performed the duties of the office for such month.

Section 10. That the said ex-officio clerk of said court shall receive as compensation for his services as such ex-officio clerk of said court the sum of nine hundred dollars per annum, payable in equal monthly installments of seventy-five dollars out of the county treasury of Jefferson county upon warrants drawn on the county treasurer by the judge of said court, showing that said ex-officio clerk has performed his duties for the month, which shall be in addition to the salary received by him for his services as clerk of the second division of the municipal court of Birmingham.

Section 11. That the clerk, other than the ex-officio clerk, of said court may, with the consent of the judge, appoint such number of deputy clerks, not exceeding two, as the business of the court should justify, and such deputy clerks shall each receive a salary of nine hundred dollars per annum, payable monthly out of the county treasury upon the warrant of the judge of said court that such person has performed the duties of said office for such time, and that said deputy clerk may be either a male or female. Such deputy clerk shall hold office at the will of the judge of said court, and such deputy clerk shall perform such duties as are assigned by the clerk of said court in the discharge of his duties as clerk of said court.

Section 12. That the ex-officio deputy clerk herein provided for for this court shall perform all duties assigned by the ex-officio clerk of this court in the discharge of the duties of ex-officio clerk of said court.

Section 13. That the duty of the clerk of said court shall be to keep a record of all proceedings of the said court; he shall keep in a book, to be furnished by the board of revenue of Jefferson county, a properly arranged docket of all cases tried in said court and all examinations had therein, which docket shall set forth the nature of the case, the date of the issuance and return of all processes, and a statement of the judgment rendered in the case sufficiently clear to show what was done in the case, together with

an itemized statement of the bill of costs and by whom paid. The said clerk shall be authorized to administer oaths and issue all process issuing out of said court, including warrants, affidavits, commitments and releases of said court, and shall certify all appeals and transcripts, but all judgments, warrants, commitments and orders shall be signed by the judge.

In all cases tried in said court, the same fees shall be taxed and collected by the clerk as is now allowed or may hereafter be allowed by law in the county courts of Alabama, except, as herein otherwise may be provided, and shall be paid over by the clerk to the county treasury of Jefferson county, and no clerk or judge of said court shall receive any fees and compensation other than his salary, but all fees shall be paid into the county treasury. All fines, fees and forfeitures shall be paid by the clerk of said court into the county treasury at least once each month, except as herein otherwise may be provided.

Section 14. That, unless herein otherwise declared, wherever the words, "judge" and "clerk" of said Jefferson county court of misdemeanors, appear in this act the same shall be taken and construed to include the "ex-officio judge" and the "ex-officio clerk," respectively, of the said court, so long as there is an ex-officio judge and an ex-officio clerk of said court as herein provided in this act.

Section 15. That all processes of whatever nature or kind issued out of said court shall be addressed to the sheriff of Jefferson county, Alabama, who shall either himself or by deputy execute the same. That it shall be the duty of said sheriff, and he shall be required in person, or by deputy, to attend on said court at all times when the same is in session, and being held, to preserve order, to execute and return its processes, and to perform in said court all other duties required of the sheriff thereby.

Section 16. That the judge of said court may appoint a bailiff, who shall receive a salary of one hundred dollars per month for his services, to be paid out of the county treasury, monthly, upon the warrant of the judge of said court that he has performed the duties entitling him to such payment. Such bailiff may be removed from office at any time by the judge of said court for causes deemed sufficient by said judge.

Section 17. That upon request of the judge of said court made in writing, it shall be the duty of the board of commissioners of the city of Birmingham, Alabama, or of the governing body of that municipality, to designate two policemen or city detectives to act under the orders or directions of the judge of said court in detecting crime and in aiding the execution of process issued by said court in criminal matters arising in said city and within the jurisdiction of said court, and that each of said policemen or detectives shall so perform such duties during the pleasure of the judge of said court and, during the time they serve, shall receive as compensation for such services the sum of one hundred dollars per month, payable monthly out of the treasury of Jefferson county upon warrants of the said judge to the county treasurer showing that they have performed their duties for the month.

Section 18. That the board of revenue of Jefferson county, Alabama, may fix and provide a salary or salaries for such number of deputy solicitors as they may deem proper to prosecute misdemeanors and preliminary investigations in said Jefferson county court of misdemeanors, and whenever said salary or salaries have been so fixed or provided for the circuit solicitor of the circuit court of Jefferson county, Alabama, shall whenever notified thereof by said board of revenue appoint the number of deputy solicitors. Such deputy solicitors shall at the time of their appointment and during their term of office, which shall be during the pleasure of the circuit solicitor so appointing them, reside within said county, and there shall be taxed

as a part of the costs in each misdemeanor case prosecuted by any such deputy solicitor the same solicitor's fees that are authorized to be taxed in such cases in the county courts of this State, which solicitor's fees shall be collected by the clerk of said court and paid into the treasury of Jefferson county.

Section 19. That each calendar month shall constitute a term of said court, except that after five days from the rendition of a judgment in any cause the said judgment shall be beyond the jurisdiction and out of the power of the court the same as if the term of the court ended on said fifth day after the rendition of said judgment.

Section 20. That the court shall be opened at the discretion of the judge of said court any day during the week (except Sunday) for the trial of offenses committed within the jurisdiction of said court, but no person shall be tried on the same day or the next day after his arrest without his consent.

Section 21. That in the trial of cases before this court, the accused shall have no right to demand a trial by jury, but the judge shall determine both the law and the facts, without the intervention of a jury, and shall award the punishment the character of the offense demands, and no statement of the offense need be made other than contained in the affidavit and warrant of arrest. That the forms for proceedings before the county courts of this State, or substantially the same forms in so far as they are applicable to this court, may be used by the judge of this court in cases tried in this court.

Section 22. That the judgment in case of conviction in cases tried by said court may be in the following form: The State against C. D. (here state the offense as described in the affidavit), on hearing the evidence the court is satisfied of the guilt of the defendant and awards the following punishment (here state the punishment) and the costs of the proceedings: _____, Judge of Jefferson County Court of Misdemeanors. If the defendant is acquitted the judgment must be that the defendant is discharged.

Section 23. That, upon a conviction of any defendant in misdemeanor cases in said court, the court shall have the right to suspend the sentence whenever in the discretion of said court the same may be advisable, under such terms and conditions and for such time as may be prescribed by said judge for the ends of justice.

Section 24. That in addition to the power and jurisdiction herein conferred upon said court, it shall have and it is hereby given authority and jurisdiction to sentence to perform hard labor for the county of Jefferson for the payment of fines and costs in the same manner and to the same extent as the circuit courts of this State have authority and jurisdiction so to do.

Section 25. That this court shall have the power to set aside, vacate or modify its judgments rendered in all cases, upon motion made within five days after the rendition of same, which said motion must be promptly determined; and this court may open for business and render default and other judgments at any time after 9 o'clock of each day (except Sunday), and all processes of the court where no time is otherwise fixed shall be returnable at 9:30 a. m., of the return day.

Section 26. If the defendant fails to appear as required by his bond, said court shall enter a forfeiture against him and his sureties, which may be in the following form:

The State of Alabama v. C. D., defendant, O. P. and Q. R., his sureties—In the Jefferson county court of misdemeanors. —day of —, 19—.

In this case, C. D., failing to appear and answer the charge against him for (here describe the offense as in the affidavit), a judgment is en-

tered against him and his said sureties for — Dollars (the amount of the penalty of the bond) in favor of the State, for the use of the county of Jefferson, unless they appear at the next term of this court and show cause to the contrary; and it is ordered that notice issue to them.

Section 27. That in all bonds returnable to said court where forfeitures have been taken, for failure of the defendants to appear, the said court shall have the authority to issue and shall cause to issue *sci fas.* to the bondsmen, which shall be returnable in not less than thirty days from the date of issuance and upon final hearing the said court shall have the authority to pass upon said forfeiture, or make the same final or take such other action as the circuit court of said county may be authorized to take in case of appearance bonds to said circuit court.

Section 28. That in any prosecution in said court if it appear to the court that such prosecution is frivolous or malicious, the court shall after hearing the facts render summary judgment and may tax the prosecutor or the person who made the complaint or affidavit with the costs, and when the costs are imposed on the prosecutor or person who made the complaint or affidavit, he may confess judgment for the same with good and sufficient sureties, and failing to do so or to pay the same presently he must be imprisoned in the county jail or sentenced to hard labor for Jefferson county for not more than ten days.

Section 29. That witnesses in cases before said court shall be entitled to the same fees, to be collected in the same manner as is provided in like cases before the county courts of this State, and at the end of the trial or examination they shall receive certificates of attendance from the clerk of said court, and if the said fees are not called for within three months after paid into said court they shall be forfeited and paid into the county treasury of Jefferson county.

Section 30. That appeals from judgments of conviction rendered by said court may be taken by the defendant to the circuit court of Jefferson county within five days after the rendition of said judgments and in the manner as is provided by law for appeals to be taken from the county courts of this State to the circuit courts of this State, and a jury trial may there be had on demand of the defendant as provided by law, and all appeals taken as herein provided for shall be tried *de novo* and be preferred cases in the said circuit court, and shall be governed in all respects by the rules and regulations provided by law for the trial of appeals in the circuit courts from the county courts of this State, in so far as same may be applicable.

Section 31. That if any section, clause or provision of this act shall be declared to be unconstitutional or held invalid, it shall not be held to affect any other section, clause or provision, but the same shall remain in full force and effect.

Section 32. That all laws and parts of laws, general, special or local, in conflict with any of the provisions of this act be and the same are hereby repealed.

State of Alabama, }
Jefferson County. }

Personally appeared before me, Mary Mosley, notary public in and for said State and county, J. H. F. Mosley, who deposes and says: That he is editor and manager of the Labor Advocate, a weekly newspaper published at Birmingham in said State and county, that the notice hereto attached was published in said Labor Advocate on the following dates: December 28, 1918; January 4, 11, 18, 1919.

J. H. F. Mosley.

Sworn to and subscribed before me, this 20th day of January, 1919.

(Seal.)

Mary Mosley,
Notary Public.

Also:

H. 793. To authorize the city of Fairfield, in Jefferson county, Alabama, to levy taxes on all real and personal property, and franchises in said city, for the year beginning January 1, 1919, and ending December 31, 1919, and for each year thereafter; to provide the rate of said taxation; and fix the value of property for taxation in said city; to provide when said taxes shall fall due and how same shall be collected and to fix the date of each tax year.

With notice and proof attached hereto and exhibited as follows:

NOTICE.

Notice is hereby given that at the adjourned session of the Legislature of Alabama, which convenes in the city of Montgomery, on July 8, 1919, a bill will be introduced for passage, the substance of which will be to authorize the city or town of Fairfield to levy taxes on all real and personal property and franchises in the city or town of Fairfield for the year beginning January 1, 1919, and ending December 31, 1919; to provide that the property taxed shall be the same as that subject to taxation by the laws of the State of Alabama, the value of same to be fixed as that assessed for State taxation, as shown by the books of assessment for the State and county tax year ending on the 30th day of September, 1919; said tax to be one-half of one per centum on the hundred dollars for general municipal purposes; to provide that said municipal taxes for said tax year of 1919 shall be due on the first day of October of said year; that same shall be delinquent when State and county taxes for the next preceding tax year are delinquent; to provide that said taxes shall be collected in same manner as that now provided for by law; also to provide that for each succeeding year the tax year shall begin on January 1 and end on December 31 of each year.

A. Clinton Decker, Mayor.

The State of Alabama, }
Jefferson County. }

Personally appeared before me, the undersigned authority, a notary public, in and for said county and State, R. A. Mullins, who being by me first duly sworn, on oath, says: That he is the business manager of the Age-Herald Publishing Company, the publisher of the Birmingham Age-Herald, a daily newspaper published in the city of Birmingham, Jefferson county, Alabama; that the notice hereto attached is a true and correct copy of the notice that was published in the Age-Herald once a week for four consecutive weeks, beginning June 28th, 1919, and appearing also on the following dates, to-wit: July 5, 1919; July 12, 1919, and July 19, 1919.

R. A. Mullins,
Business Manager.

Sworn to and subscribed before me on this July 31, 1919.

(Seal.)

Susan E. Wright,
Notary Public.

Also:

H. 771. To create for the county of Conecuh and State of Alabama the office of county solicitor and to provide for his election by the qualified electors of said county; to prescribe his qual-

ifications and duties, and to fix his compensation as such officer and how the same shall be paid; and to provide for the length of time which he shall hold office.

With notice and proof attached hereto and exhibited as follows:

NOTICE.

Is hereby given that application will be made to the Legislature of Alabama at its session to be assembled on July 8th, 1919, for the passage of an act in substance as follows: To create for the county of Conecuh and State of Alabama, the office of county solicitor and provide for his election by the qualified electors of said county and to prescribe his qualifications and duties, and to fix his compensation as such officer and how the same shall be paid; and to provide for the length of time which he shall hold office.

The State of Alabama, }
Conecuh County. }

Before me, F. J. Dean, a notary public in and for said State and county, personally appeared J. C. Whitcomb, who, being by me first duly sworn, deposes and says that he is the editor and publisher of The Conecuh Record, a newspaper published weekly at Evergreen in said State and county; that the above and foregoing notice was published in the said Conecuh Record for four consecutive weeks in the issues of June 26th, 1919; July 3rd, 10th and 17th, 1919.

J. C. Whitcomb,
Editor and Publisher.

Subscribed and sworn to before me this 23rd day of July, 1919.

F. J. Dean,
Notary Public, Conecuh County, Alabama.

Also:

H. 463. To amend section 1 of an act entitled, "An act to designate certain public roads of the State of Alabama as State trunk roads and to provide the manner in which such roads shall be located, improved and maintained," approved September 10th, 1915.

Also:

H. 565. To regulate the review by the Supreme Court of Alabama of the judgment and decision of the Court of Appeals of Alabama in causes reviewed by said Supreme Court on petition for writs of certiorari as authorized by the Constitution of the State of Alabama.

Also:

H. 581. To amend an act approved September 10, 1915, entitled, "An act to designate certain public roads in the State of Alabama as State trunk roads, and to provide the manner in which such roads shall be located, improved and maintained," and the several acts amendatory thereof.

Also:

H. 719. To create and designate an additional trunk road, extending from Cullman, in the county of Cullman, west by

Addison, thence south to Jasper and from Jasper south through Gurganus to Tuscaloosa in Tuscaloosa county, and to confer upon said road all of the rights and privileges now extended to trunk roads in this State.

Also:

H. 748. To amend section two of an act entitled "An act to authorize the holding of elections by municipal corporations in the State of Alabama, for the purpose of obtaining authority to issue bonds for public purposes herein defined, and to provide for holding such elections, and declaring the result thereof, and to authorize the issue of such bonds when a majority of the voters participating in such elections vote in favor of the issue of such bonds, and regulate the issue, execution, sale and security of such bonds," approved August 26, 1909, as amended by an act approved February 20, 1915.

H. 683. To amend section 1 of an act to amend section 5346 and repeal section 5347 of the Code of Alabama of 1907, approved September 28, 1915.

Also:

H. 664. To provide for the printing and publication of the reports of the Supreme Court and the Court of Appeals of Alabama, and for the distribution or sale of same.

Also:

H. 613. To regulate the traffic in seed cotton in the several counties of Alabama and to provide for penalties for violating the same.

Also:

H. 414. To amend Sec. 6 of an act entitled "An act to provide for elections to authorize any county in the State to levy and collect a special county tax for public school purposes not to exceed thirty (30) cents on each one hundred dollars (\$100) worth of taxable property in such county; to authorize any school district, in any county that may be levying special county taxes for school purposes of not less than thirty (30) cents on each one hundred dollars (\$100) worth of taxable property in such county, to levy a special district tax for school purposes not to exceed thirty (30) cents on each one hundred dollars (\$100) worth of taxable property in such school district; and to authorize boards of education to issue interest bearing warrants to erect, repair and equip school buildings and to otherwise improve school facilities," approved February 13, 1919.

And sends same herewith to the Senate.

Fred H. Gormley,
Clerk.

HOUSE MESSAGE.

The House bills in the foregoing House message were severally read once and referred to appropriate standing committees, as follows:

H. 690. To the Committee on Public Health.

H. 471, H. 508, H. 588, H. 744, H. 793. To the Committee on Finance and Taxation.

H. 769, H. 683. To the Committee on Revision of Laws.

H. 770, H. 772, H. 773, H. 771. To the Committee on Local Legislation.

H. 787, H. 565. To the Committee on Judiciary.

H. 463, H. 581, H. 719. To the Committee on Public Roads and Highways.

H. 748. To the Committee on Privileges and Elections.

H. 664. To the Committee on Printing.

H. 613. To the Committee on Agriculture.

H. 414. To the Committee on Constitution, Constitutional Revision and Amendments.

LEAVES OF ABSENCE.

On motion of Mr. Craft, Mr. Baker was granted leave of absence for today.

On motion of Mr. Tally, Mr. Nance was granted leave of absence for today.

BILLS ON THIRD READING RESUMED.

The bill:

S. 538. To prohibit the levy or collection, in counties of not less than twenty-one thousand (21,000) nor more than twenty-two thousand (22,000) population according to the Federal census of 1910, or of any subsequent census, of any license or privilege tax or fee or any wagon used exclusively in connection with the cultivation of farms or the marketing of the products of the farm or forest occupied as owner or tenant by the owner of such wagon.

Was taken up.

Mr. Morris offered the following amendment to said bill:

Amend Senate bill No. 538 as to read twenty-one thousand six hundred and eight (21608) no more than twenty-one thousand six hundred and forty (21640).

Which was adopted.

Yeas, 20; nays, 0.

Yeas:

Messrs:

Acker	Ellis	Kelly	Rogers (Sumter)
Briscoe	Evins	Morris	Sims
Carlton	Gunter	McDowell	Smith (Coosa)
Cowan	Harper	Phillips	Smith (Lawrence)
Craft	Huddleston	Prestwood	Tally

—20

Nays:—None.

And said bill, as thus amended, was read a third time at length and passed.

Yeas, 21; *nays*, 0.

Yeas:

Messrs:

Acker	Craft	Harper	McDowell
Beale	Ellis	Huddleston	Phillips
Bedsole	Evins	Kelly	Prestwood
Briscoe	Griffith	Miller	Rogers (Lauderdale)
Carlton	Gunter	Morris	Tally
Cowan			

—21

Nays:—None.

The bill:

H. 533. To fix the time of holding the county court in Conecuh county, Alabama.

Was read a third time at length and passed.

Yeas, 20; *nays*, 0.

Yeas:

Messrs:

Acker	Cowan	Harper	Phillips
Beale	Craft	Huddleston	Prestwood
Bedsole	Ellis	Kelly	Rogers (Lauderdale)
Briscoe	Evins	Miller	Smith (Coosa)
Carlton	Gunter	McDowell	Tally

—20

Nays:—None.

The bill:

S. 532. To authorize the consolidation of contiguous territory in two or more adjoining counties into one school district; to provide for the management and control of the school or schools of such consolidated district; to provide for the levy and expenditure of funds and for the issuance of interest bearing warrants for the erection, repair or equipment of school buildings in such consolidated district; to provide for the maintenance and support of the school or schools in such consolidated district, and to ratify and confirm local tax elections held in the territory consolidated prior to such consolidation.

Was read a third time at length and passed.

Yeas, 21; nays, 0.

Yeas:

Messrs:

Acker	Craft	Huddleston	Prestwood
Beale	Ellis	Miller	Rogers (Lauderdale)
Bedsole	Evins	Morris	Smith (Coosa)
Briscoe	Gunter	McDowell	Smith (Lawrence)
Carlton	Harper	Phillips	Tally
Cowan			

—21

Nays:—None.

The bill:

H. 503. To create and designate an additional trunk road, extending from the town of Heflin in Cleburne county south to Wedowee in Randolph county, and to confer upon said road all of the rights and privileges now extended to trunk roads in this State.

Was read a third time at length and passed.

Yeas, 20; nays, 0.

Yeas:

Messrs:

Acker	Cowan	Harper	Prestwood
Beale	Craft	Huddleston	Rogers (Lauderdale)
Bedsole	Ellis	Miller	Smith (Coosa)
Briscoe	Evins	Morris	Smith (Lawrence)
Carlton	Gunter	McDowell	Tally

—20

Nays:—None.

The bill:

S. 479. To regulate and fix the compensation of witnesses before the grand jury and in all cases in the county court and circuit court of Clarke county.

Was read a third time at length and passed.

Yeas, 20; nays, 0.

Yeas:

Messrs:

Acker	Cowan	Huddleston	Prestwood
Beale	Craft	Kelly	Rogers (Lauderdale)
Bedsole	Evins	Miller	Smith (Coosa)
Briscoe	Gunter	Morris	Smith (Lawrence)
Carlton	Harper	Phillips	Tally

—20

Nays:—None.

The bill:

H. 706. To appropriate the sum of \$234.00 to be paid to Israel Belser in full settlement of the amount due him by the

State of Alabama for services rendered as assistant State chaplain of convicts during 1915 and part of 1916, for which services he has not been paid.

Was read a third time at length and passed.

Yeas, 19; nays, 0.

Yeas:

Messrs:

Baker	Craft	Kelly	Rogers (Lauderdale)
Bedsole	Ellis	Miller	Smith (Coosa)
Briscoe	Evins	Morris	Smith (Lawrence)
Carlton	Gunter	Phillips	Tally
Cowan	Harper	Prestwood	

—19

Nays:—None.

The bill:

S. 463. To fix the salary of the judge of the county court in all counties having a population of not less than 32,900 and not more than 33,000.

Was taken up.

And Mr. Tally offered the following amendment to said bill:

Amend the bill (S. 463) by adding to the caption and to the bill the following words: "Or any subsequent Federal census."

Which was adopted.

Yeas, 19; nays, 0.

Yeas:

Messrs:

Acker	Craft	Kelly	Rogers (Lauderdale)
Bedsole	Ellis	Miller	Smith (Coosa)
Briscoe	Evins	Morris	Smith (Lawrence)
Carlton	Gunter	Phillips	Tally
Cowan	Harper	Prestwood	

—19

Nays:—None.

And said bill as thus amended was read a third time at length and passed.

Yeas, 18; nays, 0.

Yeas:

Messrs:

Acker	Ellis	Miller	Rogers (Lauderdale)
Briscoe	Evins	Morris	Smith (Coosa)
Carlton	Gunter	McDowell	Smith (Lawrence)
Cowan	Harper	Prestwood	Tally
Craft	Kelly		

—18

Nays:—None.

The bill:

S. 516. To repeal an act entitled, "An act to provide a better system of public roads for Chambers county."

Was read a third time at length and passed.

Yeas, 21; nays, 0.

Yeas:

Messrs:

Acker	Cowan	Harper	Phillips
Beale	Ellis	Kelly	Prestwood
Bedsole	Espy	Miller	Rogers (Lauderdale)
Briscoe	Evins	Moore	Rogers (Sumter)
Brown	Gunter	McDowell	Tally
Carlton			

—21

Nays:—None.

The bill:

S. 535. To provide for the construction, maintenance and control of the public roads and bridges of all counties in the State of Alabama having a population of not less than 27,155 and not more than 27,200, by the last or any succeeding Federal census; to further define the duties of the courts of county commissioners, or like governing bodies, of all such counties; to provide for the levy and collection of a vehicle license tax; to provide for the levy and collection of a per capita road tax in commutation of road duty; and to regulate the performance of road duty in such counties by the citizens thereof.

Was read a third time at length and passed.

Yeas, 22; nays, 0.

Yeas:

Messrs:

Acker	Cowan	Kelly	Phillips
Beale	Craft	Leith	Prestwood
Bedsole	Ellis	Miller	Smith (Coosa)
Briscoe	Evins	Morris	Smith (Lawrence)
Butler	Gunter	McDowell	Tally
Carlton	Harper		

—22

Nays:—None.

The bill:

S. 433. To submit to the qualified electors of the State, an amendment to section 93 of the Constitution of the State of Alabama whereby the State may engage in works of internal improvement and lend its money or credit in aid of same, provided that such improvements be and remain State property to be managed and controlled by the State or such public agency as the Legislature may prescribe and forbidding such assistance to private or corporate enterprises.

Was read a third time at length and lost, having failed to receive three-fifths vote of all the members elected to the Senate, as required by the Constitution.

Yeas, 14; nays, 10.

Yeas:

Messrs:

Beale	Craft	Miller	Smith (Coosa)
Bedsole	Espy	Rogers (Lauderdale)	Smith (Lawrence)
Briscoe	Griffith	Sims	Tally
Butler	Harper		

—14

Nays:

Messrs:

Acker	Evins	McDowell	Prestwood
Carlton	Gunter	Phillips	Rogers (Sumter)
Ellis	Morris		

—10

NOTICE OF MOTION TO RECONSIDER VOTE.

Mr. Rogers of Sumter gave to the Senate notice that on the next legislative day he will move to reconsider the vote by which the bill:

S. 433. To submit to the qualified electors of the State, an amendment to section 93 of the Constitution of the State of Alabama whereby the State may engage in works of internal improvement and lend its money or credit in aid of same, provided that such improvements be and remain State property to be managed and controlled by the State or such public agency as the Legislature may prescribe and forbidding such assistance to private or corporate enterprises.

Was lost by failure to receive the required constitutional majority of three-fifths of the whole number elected to the Senate.

BILLS ON THIRD READING RESUMED.

The bill:

S. 486. To amend an act of the Legislature of Alabama entitled, "An act to amend section 3795 of the Code of Alabama of 1907.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas, 19; nays, 6.

Yeas:

Messrs:

Acker	Espy	Miller	Sims
Bedsole	Evins	Morris	Smith (Coosa)
Carlton	Griffith	McDowell	Smith (Lawrence)
Cowan	Gunter	Prestwood	Tally
Ellis	Leith	Rogers (Sumter)	

—19

Nays:

Messrs:

Beale
Briscoe

Butler
Harper

Phillips

Rogers (Lauderdale)

—6

The bill:

H. 698. To amend section one of an act approved December 9th, 1896, and entitled, "An act to amend the charter of the town of Eutaw, in Greene county, in the State of Alabama, and all acts amendatory thereto."

Was read a third time at length and passed.

Yeas, 23; nays, 0.

Yeas:

Messrs:

Acker
Beale
Bedsole
Briscoe
Butler
Carlton

Cowan
Craft
Ellis
Espy
Evins
Harper

Leith
Miller
Morris
McDowell
Phillips
Prestwood

Rogers (Lauderdale)
Rogers (Sumter)
Sims
Smith (Coosa)
Tally

—23

Nays:—None.

REPORT FROM COMMITTEE ON ENROLLED BILLS.

Mr. President:

Your Standing Committee on Enrolled Bills beg leave to report that said committee, in session, have compared the following enrolled bills, with the engrossed and original bills, respectively, and find same correctly enrolled, to-wit:

S. 248. To amend section 6112 of the Code of 1907.

S. 154. To designate a certain public road of the State of Alabama as a State trunk road and to provide the manner in which such road shall be located, improved and maintained.

S. 323. To ratify, confirm and validate the issuance of road improvement warrant No. 256 for work on the Peach Tree road, by the court of county commissioners of Wilcox county, Alabama; and to ratify, confirm and validate all orders, decrees and contracts by said court of county commissioners necessary to authorize the legal issue of said warrant; and to authorize the treasurer of Wilcox county, Alabama, to pay the interest on said warrant according to its terms as same matures; and to authorize the treasurer of said Wilcox county to pay the principal on said warrant when same matures according to its terms.

S. 223. To fix the salary of the judge of the county court in all counties having a population of not less than thirty-nine thousand one hundred ten (39,110) and not more than thirty-nine

thousand two hundred (39,200) according to the Federal census of 1910 and provide for the payment of the same.

S. 275. To provide that the clerk of the circuit court of Hale county, Alabama, shall be ex-officio clerk of the county court of said county, and to prescribe his duties as such, and to fix his compensation.

S. 315. To fix and provide for the payment out of the county treasury the salary of the deputy solicitor for Cullman county, Alabama, and to repeal all laws and parts of laws in conflict herewith.

S. 324. To repeal section seven of an act, Acts 1892-93, to regulate the fine and forfeiture fund of Wilcox county, and the payment of claims against said fund, and to provide funds for the payment of said claims.

S. J. R. 89. Memorializing Congress of the U. S. to pass laws for the deportation of any undesirable aliens, and to further restrict the coming into the parts of the U. S. of undesirable people from foreign countries.

Chas. McDowell, Jr.,
Chairman.

SIGNING OF BILLS.

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the following bills:

S. 248. To amend section 6112 of the Code of 1907.

S. 323. To ratify, confirm and validate the issuance of road improvement warrant No. 256 for work on the Peach Tree road by the court of county commissioners of Wilcox county, Alabama; and to ratify, confirm and validate all orders, decrees and contracts by said court of county commissioners necessary to authorize the legal issue of said warrant, and to authorize the treasurer of said Wilcox county, Alabama, to pay the interest on said warrant according to its terms as same matures; and to authorize the treasurer of said Wilcox county to pay the principal on said warrant when same matures according to its terms.

S. 223. To fix the salary of the judge of the county court in all counties having a population of not less than thirty-nine thousand one hundred ten (39,110) and not more than thirty-nine thousand two hundred (39,200) according to the Federal census of 1910 and provide for the payment of the same.

S. 275. To provide that the clerk of the circuit court of Hale county, Alabama, shall be ex-officio clerk of the county court of

said county, and to prescribe his duties as such, and to fix his compensation.

S. 315. To fix and provide for the payment out of the county treasury the salary of the deputy solicitor for Cullman county, Alabama, and to repeal all laws and parts of laws in conflict herewith.

S. 324. To repeal section seven of an act, Acts 1892-93, to regulate the fine and forfeiture fund of Wilcox county, and the payment of claims against said fund, and to provide funds for the payment of said claims.

S. J. R. 89. Memorializing Congress of the U. S. to pass laws for the deportation of any undesirable aliens, and to further restrict the coming into the parts of the U. S. of undesirable people from foreign countries.

S. 154. To designate a certain public road of the State of Alabama as a State trunk road and to provide the manner in which such road shall be located, improved and maintained.

MESSAGE FROM THE HOUSE.

Mr. President:

The Speaker having signed the following House bills, your signature thereto is requested:

H. 390. To abolish the county court of Greene county and the offices thereto attached and to provide for the transfer of all trials of prosecutions instituted therein and not disposed of, together with all papers, processes, records and documents relating thereto, to the clerk of the circuit court of said county, and to provide for the clerk of said circuit court receiving the same to enter all such cases on the proper docket of said circuit court for trial as though originally filed therein.

Also:

H. 455. To regulate the trials of misdemeanors in Lawrence county.

Also:

H. 486. To prescribe and regulate the payment of certain claims registered against the fine and forfeiture funds of St. Clair county, when there are such funds in the hands of the county treasurer or any bank or individual who are discharging the duties of county treasurer and to give notice to such persons there are funds in the hands of such treasurer for the payment of claims by publication in county newspaper for two weeks.

Also:

H. 489. To make it unlawful for any person to take or catch fish in any of the waters of this State, or the tributaries of such

waters emptying into Choctawhatchee Bay by the use of any seine, hoop-net, trammel-net, or substitute therefor, except fish-baskets used only for the purpose of taking or catching cat fish, and to provide penalties for the violation of the provisions of this act.

Also:

H. 702. To provide for the town of Albertville and school district known as the Albertville school district, to manage and control the affairs of its public schools in said school district. To provide for the election of a board of education by the town council of the town of Albertville, Alabama. To authorize said board of education to mortgage or pledge the property of said public school for the purpose of procuring additional funds to build or erect and equip a suitable public school building in said town of Albertville, and to authorize payment and satisfaction of said mortgage out of funds hereafter derived from the levy of a special school tax in said school district.

Fred H. Gormley,
Clerk.

SIGNING OF BILLS.

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the following bills:

H. 390. To abolish the county court of Greene county and the offices thereto attached and to provide for the transfer of all trials of prosecutions instituted therein and not disposed of, together with all papers, processes, records and documents relating thereto, to the clerk of the circuit court of said county, and to provide for the clerk of said circuit court receiving the same to enter all such cases on the proper docket of said circuit court for trial as though originally filed therein.

H. 455. To regulate the trials of misdemeanors in Lawrence county.

H. 486. To prescribe and regulate the payment of certain claims registered against the fine and forfeiture funds of St. Clair county, when there are such funds in the hands of the county treasurer or any bank or individual who are discharging the duties of county treasurer and to give notice to such persons there are funds in the hands of such treasurer for the payment of claims by publication in county newspaper for two weeks.

H. 489. To make it unlawful for any person to take or catch fish in any of the waters of this State, or the tributaries of such

waters emptying into Choctawhatchee Bay by the use of any seine, hoop-net, trammel-net, or substitute therefor, except fish-baskets used only for the purpose of taking or catching cat fish, and to provide penalties for the violation of the provisions of this act.

H. 702. To provide for the town of Albertville and school district known as the Albertville school district, to manage and control the affairs of its public schools in said school district. To provide for the election of a board of education by the town council of the town of Albertville, Alabama. To authorize said board of education to mortgage or pledge the property of said public school for the purpose of procuring additional funds to build or erect and equip a suitable public school building in said town of Albertville, and to authorize payment and satisfaction of said mortgage out of funds hereafter derived from the levy of a special school tax in said school district.

RECESS.

On motion of Mr. Harper, the Senate at 12:45 P. M., took a recess until 5 o'clock this afternoon.

AFTERNOON SESSION—THIRTY-NINTH DAY.

Wednesday, August 27th, 1919.

The Senate reassembled at 5 o'clock P. M., Lieutenant Governor Miller presiding.

ROLL CALL.

On a call of the roll, 29 members answered to their names, a quorum of the Senate.

INTRODUCTION OF BILLS.

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Craft:

S. 585. To submit to the qualified voters of the State an amendment to Section 93 of the Constitution of the State.

Constitution and Constitutional Revisions and Amendments.

By Mr. Huddleston:

S. 586. To amend section 28 of the Code.

Finance and Taxation.

By Mr. Espy:

S. 587. To permit county boards of revenue or county commissioners to appropriate money to control or eradicate diseases of live stock in their respective counties and to provide for the use of such money.

Finance and Taxation.

By Mr. Leith:

S. 588. To authorize a justice of the peace or notary public and ex-officio justice of the peace to issue a warrant in a felony case returnable to the county court and to regulate the costs in such cases.

Judiciary.

By Mr. Rogers of Lauderdale:

S. 589. To establish inferior courts in lieu of all justices of the peace and notaries public with power of justices of the peace in precincts lying within or partly within the county seats of all counties in the State of Alabama having a population of not less than 26,000 and not exceeding 26,900, according to the Federal census of 1910; provided said county seats having a population of 1,500 or more according to Federal census of 1910; to define jurisdiction and powers of said courts and judges and officers thereof and to provide for a place of holding said courts, terms and salaries of the judges and officers of said courts and the manner of their appointment or election and the payment of their salaries.

Revision of Laws.

By Mr. Carmichael:

S. 590. To amend section 5978 (3852) (692) (596) (675) (577) of the Code of Alabama.

Finance and Taxation.

By Mr. Butler (by request):

S. 591. To provide for the altering or rearranging of the boundary lines of all cities in the State of Alabama which now have or may hereafter have a population of more than one thousand and not more than twenty-five thousand people, according to the last Federal census, or in a Federal or municipal census which may hereafter be taken and to provide for the conducting and regulations of elections for such purpose.

Municipalities and Municipal Organizations.

By Mr. Rogers of Sumter:

S. 592. To amend subdivision 7, section 1678, chapter 41, of the Code of 1907.

Education.

REPORTS OF COMMITTEES.

Mr. Brown, chairman of the Standing Committee on Municipalities and Municipal Organizations, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit: By Mr. McDowell:

S. 522. To amend an act entitled an act "To ratify, confirm, and validate the census of the cities and towns in the State of Alabama, of seven (7,000) thousand inhabitants and less, where the same has been taken as provided by the Code of Alabama of 1907, and the report of the same filed in the office of the Secretary of State," approved April 4th, 1911.

By Mr. Carmichael (by request):

S. 547. To authorize municipal corporations to improve streets and sidewalks, and sections of streets and sidewalks, by the construction of electric lighting systems known as "White Ways," and charge the expense thereof to the abutting property owners, provided the cost of such construction shall not be in excess of the increased value of said property charged with such improvement, and provided such lighting system shall not apply to nor include overhead street lighting; and to provide for such municipal corporations to maintain such lighting systems after they have been established and to provide and pay for the cost of the current and expense of such maintenance thereafter.

By Mr. Huddleston:

S. 67. To declare the suspension of the corporate functions of certain towns and cities for the revival of such corporate functions.

By Mr. Griffith:

S. 508. To authorize and empower cities and towns of the State of Alabama having any streets paved with other material than macadam, when deemed necessary by the governing bodies of such cities and towns, to resurface or add to the surface of such paying without removing the entire wearing surface of the existing pavement; and to assess the cost thereof against the abutting property.

By Mr. Bedsole:

S. 480. To abolish the town of Grove Hill and to dissolve the incorporation thereof.

By Mr. Ross:

H. 476. To fix the salary of the mayor of cities and towns of more than ten thousand and less than twenty-five thousand population, in counties of more than one hundred thousand popula-

tion, according to the last Federal or State census, or according to any succeeding Federal or State census.

By Mr. Lynne:

H. 712. To provide for the consolidation of adjacent or contiguous cities having each a population between four thousand and six thousand five hundred, according to the last preceding official and published Federal census, and to provide for the organization and officers of such consolidated city.

Mr. West, chairman of the Standing Committee on Local Legislation, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Ross:

H. 743. (With amendment.) To vacate, close and annul as a public highway or street, that portion of 25th street, which lies between the northwest sides of 7th alley and the southwest side of 8th avenue.

By Mr. Simpson:

H. 547. To authorize the commissioners court of Tallapoosa county to issue a warrant in favor of Jennie Hagerdorn, for the sum of \$88.62, and to provide for the payment of the same by the county treasurer.

By Mr. Simpson:

H. 548. To authorize the commissioners court of Tallapoosa county to issue a warrant in favor of the Alexander City Bank for the sum of \$1,080.11, and to provide for the payment of the same by the county treasurer.

Mr. Butler, chairman of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Bedsole:

S. 559. To provide for the expense of this session of the Legislature.

By Mr. Gunter:

S. 268. To provide for the payment of fees, allowances and commissions of judges of probate as fixed by law for the collection of licenses and taxes where the license or tax has been collected by institution of legal proceedings and paid into the State treasury, within the year next preceding the approval of this act, and thereafter, by any public officer other than the judge of probate, and whether in legal proceedings or otherwise.

By Mr. Kelly:

S. 563. To amend section 6647 of the Code of Alabama of 1907.

By Mr. Acker:

S. 472. To amend section 3265 of the Code of 1907.

By Mr. Jones of Montgomery:

H. 617. To fix the salary of tax collectors in counties having a population of over eighty-two thousand and not exceeding one hundred thousand according to the last Federal census or any subsequent census and allowances for clerical help in said offices and to provide for payment thereof.

By Mr. Holmes of Baldwin:

H. 625. To fix the salary of the deputy solicitor for Baldwin county, Alabama.

By Mr. Russell:

H. 753. To fix the compensation of grand and petit jurymen in counties having a population of not less than 80,000 nor more than 82,000, according to the last Federal census.

Mr. Acker, chairman of the Standing Committee on Judiciary, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Rogers of Sumter:

S. 549. (With amendment.) To regulate costs, charges and fees in trials before the county courts and to provide for the collection thereof; to fix the salaries of judges of the county courts and to provide for their payment; to provide for clerks of the county court and to regulate their compensation.

By Mr. Rogers of Sumter:

S. 550. To repeal sections 6655 and 6656 of the Code of Alabama of 1907.

By Mr. Rogers of Sumter:

S. 548. To amend section 5869 of the Code of 1907.

By Mr. Kelly:

S. 537. To create the office of county solicitor in all counties having a population of not less than eighteen thousand one hundred and twenty-five and not more than eighteen thousand nine hundred, according to the Federal census of 1910, and to provide for the election of such solicitor by the qualified electors of such counties and prescribe his qualifications and duties and fix his compensation.

By Mr. Bedsole:

S. 561. To create a maritime lien for compensatory damages in favor of the personal representative of any person suf-

fering death by the wrongful act, omission, or negligence, whilst in the territorial waters of this State, of any kind of boat, vessel, barge or other floating property, that is within the admiralty and maritime jurisdiction of the United States.

By Mr. Evins:

S. 453. To authorize the extension of the corporate existence of banking corporations organized under or chartered by any special act of the Legislature and to provide the method of making such extension.

By Mr. Acker:

S. 570. To amend sections five and six of an act entitled an act to establish an inferior court in precincts 15 and 20 in Calhoun county, Alabama, in lieu of all justices of the peace, and notaries public with power of justice of the peace, in said precincts, and to define the jurisdiction and powers of said court, and the judge thereof, to provide for the execution of the process of said court and the operation thereof, to regulate the rendition of judgments by default, to provide for the election, term of office, qualifications and compensation of the officers of said court, and the mode of their selection, and to abolish the office of justice of the peace, and notary public with power of justice of the peace in said precincts. Court established.

By Mr. Arnold:

H. 649. To provide for service by the sheriff and his deputies of criminal processes in State cases in all counties of the State of Alabama which have a population of one hundred and fifty thousand and more, according to the last or any subsequent Federal census, and wherein the sheriff of such counties is upon a salary basis, and to prohibit the service of such process other than herein designated, except processes other than warrants of arrest issued by justices of the peace.

By Mr. Cliett:

H. 573. To regulate and prescribe the manner of electing the county commissioners of Talladega county.

By Mr. Murphree:

H. 208. To amend an act approved September 25, 1915, entitled, "An act to provide for the appointment of an official court reporter by each circuit judge in Alabama; to fix their compensation, define their duties and provide for special reporters in certain cases."

Mr. Acker, chairman of the Standing Committee on Judiciary, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with an adverse report, and they were severally read a second time and placed on the adverse calendar, to-wit:

By Mr. Evins (by request) :

S. 303. To amend section 3867 of the Code of Alabama.

By Mr. Evins (by request) :

S. 363. To permit public telegraph companies to operate lines of telegraph along any of the railroads or other public highways in the State of Alabama.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has originated and adopted the following joint resolution:

By Mr. Lynne:

H. J. R. 173. Be it resolved by the House, the Senate concurring, That when the two houses adjourn today they adjourn until Friday, August 29th, at 10 A. M.

And sends same herewith to the Senate.

Fred H. Gormley,
Clerk.

HOUSE MESSAGE.

On motion of Mr. Acker the Senate concurred in and adopted H. J. R. 173, set out in the foregoing message from the House.

REPORT OF COMMITTEE ON ENGROSSED BILLS.

Mr. President:

Your Standing Committee on Engrossed Bills beg leave to report that said committee, in session, have examined and compared the following engrossed bills, with the originals, and find same correctly engrossed, to-wit:

S. 463. To fix the salary of the judge of the county court in all counties having a population of not less than 32,900 and not more than 33,000, or any subsequent Federal census.

S. 479. To regulate and fix the compensation of witnesses before the grand jury and in all cases in the county court and circuit court of Clarke county.

S. 516. To repeal an act entitled, "An act to provide a better system of public roads for Chambers county."

S. 532. To authorize the consolidation of contiguous territory in two or more adjoining counties into one school district; to provide for the management and control of the school or schools of such consolidated district; to provide for the levy and expenditure of funds and for the issuance of interest-bearing warrants for the erection, repair or equipment of school buildings in such consolidated district; to provide for the maintenance and support of the school or schools in such consolidated district,

and to ratify and confirm local tax elections held in the territory consolidated prior to such consolidation.

S. 364. "To define lawful fences in all counties, the population of which by the last Federal census was not less than 80,000 nor more than 82,000."

S. 538. To prohibit the levy or collection in counties of not less than twenty-one thousand six hundred and eight (21608) nor more than twenty-one thousand six hundred and forty (21,640) population, according to the Federal census of 1910 or of any subsequent census of any license or privilege tax or fee on any wagon used exclusively in connection with the cultivation of farms or the marketing of products of the farm or forest occupied as owner or tenant by the owner of such wagon.

R. B. Evins,
Chairman.

RESOLUTION.

Mr. Rogers of Sumter offered the following Senate joint resolution:

S. J. R. 122. Ratifying a proposed amendment to the Constitution of the United States of America.

Whereas, both houses of the sixty-sixth Congress of the United States of America by a constitutional majority of two-thirds thereof made the following proposition to amend the Constitution of the United States of America, in the following words, to-wit:

"Section 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of sex.

"Section 2. The Congress shall have power, by appropriate legislation, to enforce the provisions of said act."

Therefore, be it resolved by the Legislature of the State of Alabama:

Section 1. That the said proposed amendment to the Constitution of the United States of America be, and the same is, hereby ratified by the Legislature of the State of Alabama.

Section 2. That certified copies of this preamble and joint resolution be forwarded by the governor of this State to the secretary of State at Washington, to the presiding officer of the United States Senate, and to the speaker of the House of Representatives of the United States.

Notice is hereby given that the above set out joint resolution will be called up for passage in the Senate at three o'clock P. M., on the second day of September, 1919, providing the Senate is then in session; in the event the Senate is not in session at the

time herein specified the said resolution will be called up for passage in the afternoon of the first legislative day thereafter.

Which was read and referred to the Standing Committee on Rules.

BILL RETURNED AND RE-REFERRED.

Mr. Acker, chairman of the Standing Committee on Judiciary, reported that said committee, in session, had acted on the following bill and ordered the same returned to the Senate with a request that it be re-referred to the Standing Committee on Finance and Taxation, to-wit:

S. 572. To create a commission with authority and powers to act for and on behalf of the State of Alabama in acquiring by purchase or condemnation the building in the city of Montgomery, Alabama, commonly known and designated as the "First White House of the Confederacy" and also the land whereon said building rests or such other land as said commission may deem advisable, and to make appropriation for such purpose and for the maintenance and repair of such property.

Pursuant to such request, the President and presiding officer of the Senate re-referred said bill to the Standing Committee on Finance and Taxation.

BILL RE-REFERRED.

Mr. Acker, chairman of the Standing Committee on Judiciary, reported that said committee, in session, had acted on the following bill and ordered the same returned to the Senate with a favorable report with substitute, to-wit:

S. 526. To provide for the appointment of deputy circuit solicitors in all circuits in this State having more than five circuit judges, to fix their compensation and to provide the way and manner of paying the same.

And on motion of Mr. Acker, said bill was re-referred by the President of the Senate, to the Standing Committee on Judiciary.

BILLS ON THIRD READING.

The bill:

S. 546. For the creation, organization and maintenance of stump and land clearing districts in the State of Alabama for the purpose of clearing and stumping land or lands, not now fitted for agricultural purposes, for sanitary or agricultural purposes, or when the same may be conducive to the public health, convenience or welfare or of public utility or benefit, by clearing or stumping or otherwise; to define the privileges, powers, duties and liabilities of such stump and land clearing districts, the offi-

cers and agents thereof; to provide for the levying of taxes upon the property in said clearing district or districts authorizing the issuance of bonds by such stump and land clearing districts; and giving to said stump and land clearing districts full power to acquire such machinery, tools, lands and property as may be necessary and proper for its purpose.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 28; nays, 0.

Yeas:

Messrs:

Acker	Carmichael	Harper	Rogers (Lauderdale)
Beale	Cowan	Huddleston	Rogers (Sumter)
Bedsole	Craft	Leith	Sims
Briscoe	Ellis	Miller	Smith (Coosa)
Brown	Espy	Morris	Smith (Lawrence)
Butler	Evins	McDowell	Tally
Carlton	Griffith	Prestwood	West

—28

Nays:—None.

The bill:

S. 12. To provide pensions for all soldiers and sailors who were in the military or naval services of the State of Alabama and for those who served in the Army or Navy of the Confederate States of America with certain exceptions and who did not desert the same in the War Between the States of the United States of America in the years 1861, 1862, 1863, 1864, 1865, and who are bona fide resident citizens of the State of Alabama and to regulate and provide for the payment of such pensions by the State of Alabama.

Was taken up.

Mr. Brown offered the following amendment to said bill, to-wit:

Amend by striking out section 6 of Senate bill No. 12:

Which was adopted.

Yeas 30; nays, 0.

Yeas:

Messrs:

Acker	Cowan	Huddleston	Rogers (Lauderdale)
Beale	Craft	Kelly	Rogers (Sumter)
Bedsole	Ellis	Leith	Sims
Briscoe	Espy	Miller	Smith (Coosa)
Brown	Evins	Morris	Smith (Lawrence)
Butler	Griffith	McDowell	Tally
Carlton	Gunter	Prestwood	West
Carmichael	Harper		

—30

Nays:—None.

And said bill, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas, 30; nays, 0.

Yeas:

Messrs:

Acker	Cowan	Huddleston	Rogers (Lauderdale)
Beale	Craft	Kelly	Rogers (Sumter)
Bedsole	Ellis	Leith	Sims
Briscoe	Espy	Miller	Smith (Coosa)
Brown	Evins	Morris	Smith (Lawrence)
Butler	Griffith	McDowell	Tally
Carlton	Gunter	Prestwood	West
Carmichael	Harper		

—30

Nays:—None.

The bill:

S. 452. To amend section 2686 of the Code of Alabama of 1907.

Was read a third time at length and passed.

Yeas, 27; nays, 0.

Yeas:

Messrs:

Acker	Carmichael	Gunter	Prestwood
Beale	Cowan	Harper	Sims
Bedsole	Craft	Leith	Smith (Coosa)
Briscoe	Ellis	Miller	Smith (Lawrence)
Brown	Espy	Moore	Tally
Butler	Evins	Morris	West
Carlton	Griffith	McDowell	

—27

Nays:—None.

The bill:

H. 568. To require all fines and forfeitures in criminal cases in Henry county, Alabama, to be paid in money and to provide for the collection and disposition of said fines and forfeitures.

Was read a third time at length and passed.

Yeas, 30; nays, 0.

Yeas:

Messrs:

Acker	Cowan	Huddleston	Prestwood
Beale	Craft	Kelly	Rogers (Sumter)
Bedsole	Ellis	Leith	Sims
Briscoe	Espy	Miller	Smith (Coosa)
Brown	Evins	Moore	Smith (Lawrence)
Butler	Griffith	Morris	Tally
Carlton	Gunter	McDowell	West
Carmichael	Harper		

—30

Nays:—None.

The bill:

S. 361. To prescribe the term of training for nurses in hospitals and schools in Alabama, and the method of certification as such.

Was taken up.

The Standing Committee on Public Health offered the following substitute for said bill, to-wit:

A BILL

To be entitled an act to prescribe the term of training for nurses in hospital and schools in Alabama, and the method of certification as such.

Be it enacted by the Legislature of Alabama:

Section 1. On the demonstration of competency, efficiency and fitness as a nurse any pupil nurse having served two years in a reputable hospital in this State may be graduated by said hospital with the degree of Registered Nurse.

Section 2. That all laws and parts of laws in conflict with this act are expressly repealed, and this act shall be of force and effect from and after its passage.

Mr. Huddleston moved to lay the foregoing substitute offered by the committee on the table, which motion was lost.

Yeas, 10; nays, 17.

Yeas:

Messrs:

Evins	Huddleston	Prestwood	Smith (Coosa)
Griffith	Leith	Rogers (Lauderdale)	Tally
Harper	Morris		

—10

Nays:

Messrs:

Acker	Carlton	Gunter	Rogers (Sumter)
Beale	Carmichael	Kelly	Sims
Bedsole	Cowan	Miller	Smith (Lawrence)
Briscoe	Espy	Moore	West
Butler			

—17

And the substitute was then adopted.

Yeas, 20; nays, 6.

Yeas:

Messrs:

Acker	Carmichael	Gunter	Rogers (Sumter)
Beale	Cowan	Harper	Sims
Bedsole	Ellis	Kelly	Smith (Coosa)
Butler	Espy	Miller	Smith (Lawrence)
Carlton	Griffith	Moore	West

—20

Nays:

Messrs:

Huddleston
Leith

Morris
Prestwood

Rogers (Lauderdale) Tally

—6

And the bill, as thus amended, was read a third time at length and passed.

Yeas, 24; nays, 0.

Yeas:

Messrs:

Acker
Beale
Bedsole
Butler
Carlton
Carmichael

Cowan
Craft
Espy
Griffith
Gunter
Harper

Kelly
Leith
Miller
Morris
McDowell
Prestwood

Rogers (Sumter)
Sims
Smith (Coosa)
Smith (Lawrence)
Tally
West

—24

Nays:—None.

The bill:

S. 509. For the relief of Rev. J. M. Johnson.

Was taken up.

Mr. Huddleston offered the following amendment to said bill:

Amend Senate bill No. 509 by substituting the words two hundred and eighty where the words: One hundred and twenty-five occur.

Which was adopted.

Yeas, 30; nays, 0.

Yeas:

Messrs:

Acker
Beale
Bedsole
Briscoe
Brown
Butler
Carlton
Carmichael

Cowan
Craft
Ellis
Espy
Evins
Griffith
Gunter
Harper

Huddleston
Kelly
Miller
Moore
Morris
McDowell
Phillips

Prestwood
Rogers (Sumter)
Sims
Smith (Coosa)
Smith (Lawrence)
Tally
West

—30

Nays:—None.

And the bill, as thus amended, was read a third time at length and passed.

Yeas, 31; nays, 0.

Yeas:

Messrs:

Acker
Beale

Bedsole
Briscoe

Brown
Butler

Carlton
Carmichael

Cowan	Gunter	Morris	Sims
Craft	Harper	McDowell	Smith (Coosa)
Ellis	Huddleston	Phillips	Smith (Lawrence)
Espy	Kelly	Prestwood	Tally
Evins	Miller	Rogers (Lauderdale)	West
Griffith	Moore	Rogers (Sumter)	

—31

Nays:—None.

The bill:

S. 442. To create the office of State fire marshal, and to provide for the appointment of deputy marshal and assistant; to define their powers and duties and to fix their compensation; to provide ways and means for the enforcement of this act and penalties for violation thereof; and to provide means for defraying the expenses incurred under the provisions hereof.

Was taken up.

The Standing Committee on Revision of Laws offered the following amendment to said bill, to-wit:

Amend by striking section 8 and insert in lieu thereof the following:

Section 8. Be it further enacted: That the State fire marshal shall make regulations for the keeping, storage, use, manufacture, sale, handling, transportation, or other disposition of rubbish and highly inflammable materials, gun powder, dynamite, carbide, crude petroleum, or any of its products, explosives or inflammable fluids or compounds, tablets, torpedoes, or any explosive of like nature, including all fireworks, and may prescribe the material and construction of receptacles and buildings to be used for any of said purposes. The State fire marshal, his deputies or assistants, upon the complaint in writing of any citizen, or whenever he or they shall deem it necessary, shall inspect at all reasonable hours any and all buildings or premises within their jurisdiction. When any such officer shall find any building, or other structure, which for want of repairs, lack of sufficient fire escapes, automatic or other fire alarm apparatus, or fire extinguishing equipment, or by reason of age any dilapidated condition, or from any other cause, is especially liable to fire, and which is situated so as to endanger life or property, and whenever any such officer shall find in any building combustible or explosive matter, or inflammable conditions dangerous to the safety of such building, he or they shall order the same removed or remedied, and such order shall be immediately complied with by the owner or occupant of such premises or building; such owner or occupant may, within five days, appeal to the chancery court of the county in which the property is located, which shall within ten days review such order and file a decision thereon,

and unless by the authority of said court the order is revoked or modified, it shall remain in full force and be complied with within the time fixed in said order or decision of the chancery court. Provided, however, that any such owner or occupant who feels himself aggrieved by any such order or affirmed order, may within ten days after the making or affirming of any such order by the chancery court, file his petition for certiorari and supercedas with the Court of Appeals to review such order or judgment. Such parties as shall file a petition for certiorari and supercedas in the Court of Appeals to review such order shall file with said court a bond in an amount to be fixed by said court, with at least two sufficient sureties to be approved by the court, conditioned to pay all the costs on such petition of certiorari and supercedas in case such appellant fails to sustain the said petition or same be dismissed for any cause. In case said order of the chancery court is sustained, or the petition dismissed for any cause, if any party or parties fail to comply with the order as modified on appeal by said courts as herein provided, and within the time fixed by said courts, the said court is hereby empowered and authorized to cause such building or premises to be repaired, torn down, demolished, materials removed and all dangerous conditions remedied, as the case may be, at the expense of such party or parties, and if such party or parties within thirty days thereafter fail, neglect or refuse to repay such officer the expense thereby incurred by him, such officer shall certify said expense to the State fire marshal and the State fire marshal shall immediately pay said expense out of the fire marshal fund, and said expense so paid by the State fire marshal shall be a lien on the property, including the real estate on which the property is located. Such lien shall be superior and prior to all other liens on such property except the lien for taxes assessed and due the State, county and city wherein said property is located, and vendor's lien, and the State fire marshal is authorized and empowered to institute legal proceedings within thirty days after such payment to enforce said lien in any court of record, and the State fire marshal may enjoin one or more parties occupying the same or different premises in the same action. In order to make the lien against said property valid and binding the State fire marshal, his deputies or assistants, shall immediately upon serving the order herein provided upon any party or parties, file a copy of said order in the probate judge's office of the county wherein said property is located, and cause the same to be registered, and for the registration of said order the judge of probate of any county shall receive a fee of fifty (50) cents to be added to the cost and expense of executing said order, and such

copy of such order shall be filed in the probate judge's office of the county wherein said property is located before or at the time said order is served upon the owner or occupant of said premises, and such order when so filed shall be notice to all parties.

(1) The State fire marshal, or deputy fire marshal, when in the opinion of either of them it is necessary, may request the county or circuit solicitor to aid in any investigations or examination that may be made under the provisions of this act.

(2) Any officer who refuses to aid the State fire marshal, or deputy fire marshal, in carrying out the provisions of this act, shall be deemed guilty of wilful neglect of duty and dealt with accordingly.

Which was adopted.

Yeas, 28; nays, 0.

Yeas:

Messrs:

Acker	Carmichael	Huddleston	Rogers (Lauderdale)
Beale	Cowan	Kelly	Rogers (Sumter)
Bedsole	Craft	Miller	Sims
Briscoe	Ellis	Moore	Smith (Coosa)
Brown	Evins	Morris	Smith (Lawrence)
Butler	Gunter	McDowell	Tally
Carlton	Harper	Prestwood	West

—28

Nays:—None.

And said bill, as thus amended, was read a third time at length and passed.

Yeas, 27; nays, 0.

Yeas:

Messrs:

Acker	Carmichael	Huddleston	Rogers (Lauderdale)
Beale	Cowan	Kelly	Sims
Bedsole	Craft	Miller	Smith (Coosa)
Briscoe	Ellis	Moore	Smith (Lawrence)
Brown	Griffith	Morris	Tally
Butler	Gunter	McDowell	West
Carlton	Harper	Phillips	

—27

Nays:—None.

The bill:

S. 514. To amend an act to regulate inferior courts in cities having more than 35,000 population, according to the last or any subsequent Federal census, to prescribe the jurisdiction of such courts, and provide for the number and compensation of the judges for such courts and to provide for the appointment and compensation of the clerks and assistant clerks thereof, and to abolish the office of justice of the peace in such cities." The said act being approved Sept. 25, 1915.

Was taken up.

Mr. West offered the following amendment to said bill, to-wit:

Amend Senate bill 514 as follows:

First by striking out section 18 of said bill and inserting in lieu thereof the following words and figures as section 18 of said bill, to-wit:

"Section 18. Such courts shall have control of judgments rendered by them for a period of five days from the rendition thereof for the purpose of granting new trials upon proper and legal showing therefor."

Second: By amending section 17 of said bill so that the same shall read as follows:

Section 17. Each judge of such courts may have a vacation of not more than thirty days annually. During such vacation his court may be presided over by a reputable lawyer, appointed to act as judge by the other presiding judges of such court where there is more than one judge of such courts, and where there is only one judge of such court, the judge to preside during such vacation may be appointed by the probate judge of the county wherein such court is situated, and such special judge shall be paid for the time he serves as such judge in the same manner and from the same source as the absent judge.

Third: By adding the following words and figures as section 22 of said bill, to-wit:

"Section 22. Such courts shall be open for the transaction of business at all times except Sundays, and at any hour of the day after nine o'clock in the morning, and unless the process or summons issued in any cause designates some other hour of the day for its return or for the trial of such cause, it shall be returnable and such cause triable, at nine o'clock in the morning of such return day, and judgment by default or such other judgment as may be proper may be rendered at such time or thereafter."

Which was adopted.

Yeas, 29; nays, 0.

Yeas:

Messrs:

Acker	Craft	Kelly	Rogers (Lauderdale)
Beale	Ellis	Miller	Rogers (Sumter)
Bedsole	Evins	Moore	Sims
Brown	Griffith	Morris	Smith (Coosa)
Butler	Gunter	McDowell	Smith (Lawrence)
Carlton	Harper	Phillips	Tally
Carmichael	Huddleston	Prestwood	West
Cowan			

—29

Nays:—None.

And said bill, as thus amended, was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 26; nays, 0.

Yeas:

Messrs:

Acker	Cowan	Huddleston	Phillips
Beale	Craft	Kelly	Rogers (Lauderdale)
Bedsole	Ellis	Miller	Rogers (Sumter)
Brown	Evins	Moore	Sims
Butler	Griffith	Morris	Tally
Carlton	Gunter	McDowell	West
Carmichael	Harper		

—26

Nays:—None.

The bill:

S. 539. To amend an act entitled "An act to define dentistry; to provide for the regulation of the practice thereof; to provide for the examination of applicants to practice dentistry in Alabama; to provide for the issuing of license certificates and the registration and display thereof; to provide for reports by probate judges of said registrations; to provide for the revoking or refusing to issue said certificates; to provide a board of dental examiners of Alabama, provide for their election and prescribe their duties, powers, qualifications, terms of office and compensation; to provide for the disposition of fees collected by said board; to provide fees and funds for enforcing said act; to provide for enforcing said act; to allow the board of dental examiners of Alabama to enter into reciprocity agreements with like boards of other states; to provide penalties and punishment for the violation of the provisions of said act; to provide for any unconstitutionality of said act, and to repeal all general and local laws in conflict with said act," and approved August 31st, 1915, by amending section 1 (A), 17, and 18 thereof, and by adding thereto an additional section.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 26; nays, 0.

Yeas:

Messrs:

Acker	Cowan	Huddleston	Rogers (Lauderdale)
Beale	Craft	Kelly	Sims
Briscoe	Espy	Miller	Smith (Coosa)
Brown	Evins	Moore	Smith (Lawrence)
Butler	Griffith	Morris	Tally
Carlton	Gunter	Phillips	West
Carmichael	Harper		

—26

Nays:—None.

The bill:

H. 732. To designate a certain public road of Alabama as a State trunk road or highway, and to provide the means by which such State trunk road or highway shall be constructed, improved, and maintained.

Was read a third time at length and passed.

Yeas, 27; nays, 0.

Yeas:

Messrs:

Acker	Carmichael	Harper	Rogers (Lauderdale)
Beale	Cowan	Huddleston	Sims
Bedsole	Craft	Kelly	Smith (Coosa)
Briscoe	Espy	Miller	Smith (Lawrence)
Brown	Evins	Moore	Tally
Butler	Griffith	Morris	West
Carlton	Gunter	Phillips	

—27

Nays:—None.

REPORT OF THE SECRETARY.

To the Senate:

Gentlemen: I submit the following report, made pursuant to joint rule No. 5, relative to the delivery of enrolled and signed bills to the governor, and joint resolutions delivered to the Secretary of State, to-wit:

S. 277. To prohibit live stock from running at large after January 1st, 1920, in all counties having a population of not less than thirty thousand nine hundred and not exceeding thirty thousand nine hundred seventy-five, according to the last or any subsequent Federal census, to provide for its enforcement and fix penalties for its violation.

Delivered to the governor, August 8th, 1919, at 3:15 o'clock P. M.

S. 160. To prescribe the qualifications, duties and compensation of coroners in counties of this State of 200,000 inhabitants or more according to the last Federal census or any subsequent Federal census who may be hereafter elected and to provide for a deputy or an assistant coroner and to define and prescribe the powers and duties of such deputy or assistant, and to provide for the employment of a competent physician at any inquest held by such coroner or such deputy or such assistant, and to define and prescribe his duties and to fix his compensation and to provide for the employment of stenographer by such coroners.

Delivered to the governor, August 8th, 1919, at 3:15 o'clock P. M.

S. 270. To authorize the court of county revenues of Dallas county to issue interest-bearing warrants or certificates to holders of claims against Dallas county contracted prior to July,

1918, and ratifying and confirming the action of said court of county revenues in authorizing the issuance of certain interest-bearing warrants prior to July 1st, 1918, and validating the warrants issued for certain purposes.

Delivered to the governor, at 3:15 P. M., August 8th, 1919.

S. 312. To require the city of Mobile to pay one-half of the annual expenses of the juvenile court of Mobile county and of the detention homes for delinquent juveniles of Mobile county, including the salary of the judge of said court, the salaries of the probation officer, the salaries of the superintendent, matron and other employees necessary for the care of the detention home for juvenile delinquents of Mobile county and the expense of providing and maintaining of detention homes for juvenile delinquents of Mobile county.

Delivered to the governor, August 8th, 1919, at 3:15 P. M.

S. 220. To define the jurisdiction of justices of the peace and notaries public who are ex-officio justices of the peace in precinct one in Cullman county, and to provide for the service of process from their courts.

Delivered to the governor, August 8th, 1919, at 3:15 P. M.

S. 168. To amend sections 8 and 10 of an act entitled, "An act to regulate the fine and forfeiture of Cullman county, and to provide for the registration and payment of claims against said fund," approved September 25th, 1915.

Delivered to the governor, August 8th, 1919, at 3:15 P. M.

S. 96. To amend section twelve of an act to provide for the establishment, discontinuance, construction, use, working and maintenance of the public roads, bridges, and ferries of the several counties of this State; to define the duties and powers of the boards of revenue, courts of county commissioners, or other governing bodies of each of the several counties with regard to same; and to fix penalties for the violation of the rules, regulations and laws of the boards of revenue, courts of county commissioners or other like governing bodies of the several counties.

Delivered to the governor, August 8th, 1919, at 3:15 P. M.

S. J. R. 102. Whereas, the women of the Sumter county chapter of the Daughters of the American Revolution wrote to every man from their county who was in the service of his country, and

Whereas, they are receiving replies to same relating their personal experiences in this world conflict,

Be it resolved, That the director of archives and history request copies of these letters to be placed in his department and

bound in book form and send one of these books to the Sumter county chapter.

Delivered to the governor, August 13th, 1919, at 6:20 P. M.

S. 299. To authorize the court of county commissioners of Henry county, Alabama, to settle, adjust and refund, or either, the outstanding unpaid indebtedness against said county, by directing all or any portion of the surplus funds thereof on hand, disbursed in payment of all or any portion of the matured part of said indebtedness, and authorize the issuance of interest-bearing warrants of said county for the remainder of any portion thereof of said indebtedness, also authorize such warrants to issue for all or any part of the outstanding unpaid, unmatured indebtedness against said county, providing to such warrants the same protection to which said indebtedness is entitled in order that the income of said county, after defraying current governmental expenses, may be arranged to pay said indebtedness.

Delivered to the governor August 13th, 1919, at 6:20 P. M.

S. 297. To ratify and confirm an election held by the qualified voters of the town of Town Creek in Lawrence county, Alabama, on the 15th day of April, 1918, for the purpose of ascertaining whether or not said town would issue bonds in the sum of \$5,-000.00 to draw interest at the rate of 5% per annum, and to further authorize the mayor and aldermen of the town of Town Creek, Lawrence county, Alabama, to sell said bonds, and to use the money and proceeds of the sale of said bonds in the erection and equipping of a school house in the town of Town Creek, Lawrence county, Alabama, known as school district No. 59, which school building is to be used for the benefit of the children of the town of Town Creek, Lawrence county, Alabama.

Delivered to the governor August 13th, 1919, at 6:20 P. M.

S. 296. To authorize W. J. Lee, E. E. Etheredge, and R. N. Streater, and their successors in office, as trustees of public school district No. 59 in the town of Town Creek, Lawrence county, Alabama, to execute a mortgage and borrow money on the real estate belonging to said trustees and their successors in office, in the town of Town Creek, Lawrence county, Alabama.

Delivered to the governor August 13th, 1919, at 6:20 P. M.

S. 53. Prescribing the liability of an employer to make compensation by way of damages for injuries received by an employee occasioned by an accident arising out of and in the course of his employment and providing for the enforcement of same; modifying common law and statutory remedies in such cases; establishing an alternative elective schedule of compensation; regulating procedure for the determination of liability and com-

pensation thereunder in certain cases, and prescribing penalties for the violation thereof; and providing for attorney's fees and for medical and surgical services.

Delivered to the governor August 13th, 1919, at 6:20 P. M.

S. 349. To enlarge and further define the duties and fix the compensation of humane officers in counties of this State having a population of not less than 80,000 nor more than 82,000, according to the Federal census of 1910, or any subsequent Federal census.

Delivered to the governor August 13th, 1919, at 6:20 P. M.

S. 210. To conserve the natural resources of the State of Alabama, to change the name of the department of game and fish to the department of conservation and to provide that the State game and fish commissioner shall be, hereafter, known as the commissioner of conservation, to vest in the commissioner of conservation the power to enforce and administer all laws providing for the preservation, protection and propagation of wild birds, wild fur-bearing quadrupeds, game, forests, fish, oysters and other shell fish, crustaceans, and all other natural resources of the State, which have not been reduced to private ownership, and to provide that all expenses incurred in the administration of the conservation laws shall be paid out of the game and fish protection fund and the oyster fund.

Delivered to the governor August 13th, 1919, at 6:20 P. M.

S. 403. To amend section 1 of "An act to provide for the more efficient working of the public roads in Mobile county, and certain streets and public thoroughfares in the city of Mobile; provide for the control, working, building, maintenance and improvement of the same by the board of revenue and road commissioners of Mobile county; to prescribe the duties and fix the authority of said board; to provide for the levy and collection of a road tax, and the method of disbursing moneys necessary to carry out the provisions of this act and provide penalties for violation of its provisions," which act was approved August 2nd, 1907.

Delivered to the governor August 15th, 1919, at 12:55 P. M.

S. 347. To amend section (3) of an act entitled, "An act to create and establish the office of general guardian ad litem in all counties of sixty thousand (60,000) population and not exceeding eighty-two thousand (82,000) population according to the last Federal census; to prescribe his duties and qualifications; to provide for his appointment and to fix his compensation and term of office; to provide for the appointment of a guardian ad litem in cases where the general guardian ad litem is disqualified or where the interest of the infants interested in the case are antagonistic or conflicting; and to provide a penalty for wrongfully

appointing such guardian ad litem," approved March 22nd, 1911, as amended by an act approved July 27th, 1915.

Delivered to the governor August 15th, 1919, at 12:55 P. M.

S. 313. To amend section 1 of an act entitled, "An act creating and establishing the juvenile court of Mobile county, and defining its powers and jurisdiction; providing for the process and procedure of said court; for the equipment of said court; for officers of said court and their salaries and defining their powers and providing a commission to aid in carrying out the work of the court and prescribing its duties."

Delivered to the governor, August 15th, 1919, at 12:55 P. M.

S. 245. To repeal an act entitled, "An act to provide for and regulate the compensation of State witnesses in all courts of record for Covington county, exercising criminal jurisdiction and to provide for the payment of same," approved August 20th, 1915.

Delivered to the governor, August 15th, 1919, at 12:55 P. M.

S. 357. To designate certain described roads as State trunk roads for Alabama.

Delivered to the governor, August 15th, 1919, at 12:55 P. M.

S. 365. To divide Barbour county into six districts to be known as board of revenue districts, and to provide for the election of a member of the board of revenue of Barbour county from each district, by the qualified voters of each district, and also one member of the board of revenue from the county at large.

Delivered to the governor, August 15th, 1919, at 12:55 P. M.

S. 307. To designate a certain public road of the State of Alabama as a State trunk road and to provide the manner in which such road shall be located, improved and maintained and to make its establishment imperative.

Delivered to the governor, August 15th, 1919, at 12:55 P. M.

S. 349. To enlarge and further define the duties and fix the compensation of humane officers in counties of this State having a population of not less than 80,000 nor more than 82,000, according to the Federal census of 1910, or any subsequent Federal census.

Delivered to the governor, August 22nd, 1919, at 12:55 P. M.

S. 329. To provide for and fix the compensation to be allowed the sheriff and circuit clerk of Covington county for all official duties for the compensation of which no express provision is made by law; and to provide how the court of county commissioners of Covington county shall fix and allow said compensation and to regulate the same; to provide for the repeal of all laws, local, special or general in conflict therewith insofar as they

relate to the compensation of the sheriff and circuit clerk of Covington county.

Delivered to the governor, August 22nd, 1919, at 12:55 P. M.

S. 53. Prescribing the liability of an employer to make compensation by way of damages for injuries received by an employee occasioned by an accident arising out of and in the course of his employment and providing for the enforcement of same; modifying common law and statutory remedies in such cases; establishing an alternative elective schedule of compensation; regulating procedure for the determination of liability and compensation thereunder in certain cases, and prescribing penalties for the violation thereof; and providing for attorney's fees and for medical and surgical services.

Delivered to the governor, August 22nd, 1919, at 12:55 P. M.

S. 342. To vacate and to annul the dedication of that part of Fifth, Sixth and Seventh streets in the city of Anniston, State of Alabama, through, over, on or across, and as projected through, over, on or across that certain tract of land situated and being in said city of Anniston and bounded on the north by Tenth street, on the east by the right of way of the main line of the Mobile division of the Southern Railway Company (formerly the East Tennessee, Virginia and Georgia Railway Company), on the south by Fourth street and the right of way of the Birmingham division of the Southern Railway Company (formerly Georgia Pacific Railway Company) and on the west by Glen Addie street and the right of way of the said Birmingham division of the Southern Railway Company.

Delivered to the governor, August 22nd, 1919, at 12:55 P. M.

S. 324. To repeal section seven of an act Acts 1892-93 to regulate the fine and forfeiture fund of Wilcox county, and the payment of claims against said fund and to provide for the payment of said claims.

Delivered to the governor, August 27th, 1919, at 4:05 P. M.

S. 315. To fix and provide for the payment out of the county treasury the salary of the deputy solicitor for Cullman county, Alabama, and to repeal all laws and parts of laws in conflict herewith.

Delivered to the governor, August 27th, 1919, at 4:05 P. M.

S. 275. To provide that the clerk of the circuit court of Hale county, Alabama, shall be ex-officio clerk of the county court of said county, and to prescribe his duties as such, and to fix his compensation.

Delivered to the governor, August 27th, 1919, at 4:05 P. M.

S. 223. To fix the salary of the judge of the county court in all counties having a population of not less than thirty-nine

thousand one hundred ten (39,110) and not more than thirty-nine thousand two hundred (39,200) according to the Federal census of 1910 and provide for the payment of the same.

Delivered to the governor, August 27th, 1919, at 4:05 P. M.

S. 323. To ratify, confirm, and validate the issuance of road improvement warrant No. 256 for work on the Peachtree road, by the court of county commissioners of Wilcox county, Alabama; and to ratify, confirm and validate all orders, decrees and contracts by said court of county commissioners necessary to authorize the legal issue of said warrants; and to authorize the treasurer of Wilcox county, Alabama, to pay the interest on said warrant according to its terms as same matures; and to authorize the treasurer of said Wilcox county to pay the principal on said warrant when same matures according to its terms.

Delivered to the governor, August 27th, 1919, at 4:05 P. M.

S. 248. To amend section 6112 of the Code of 1907.

Delivered to the governor, August 27th, 1919, at 4:05 P. M.

S. 154. To designate a certain public road of the State of Alabama as a State trunk road and to provide the manner in which such road shall be located, improved and maintained.

Delivered to the governor, August 27th, 1919, at 4:05 P. M.

S. J. R. 89. Memorializing Congress of the U. S. to pass laws for the deportation of any undesirable aliens, and to further restrict the coming into the ports of the U. S. of undesirable from foreign countries.

Delivered to the governor August 27th, 1919, at 4:05 P. M.

W. F. Miller,
Secretary.

SECRETARY'S REPORT.

The foregoing report of the Secretary was read at length and on motion of Mr. Griffith was adopted.

ADJOURNMENT.

On motion of Mr. Carmichael, and pursuant to H. J. R. 173, the Senate at 7 o'clock P. M., adjourned until 9:30 o'clock Friday morning, the first 30 minutes of the morning session on Friday to be given to the passage of local bills.

FORTIETH DAY.

Friday, August 29th, 1919.

The Senate met pursuant to adjournment, Lieutenant Governor Miller presiding.

PRAYER.

By Rev. Dr. Jenkins, Doorkeeper of the Senate.

ROLL CALL.

Present:			
Mr. President and			
Messrs:			
Acker	Cowan	Huddleston	Prestwood
Baker	Craft	Kelly	Rogers (Lauderdale)
Beale	Ellis	Leith	Rogers (Sumter)
Bedsole	Espy	Miller	Sims
Briscoe	Evins	Moore	Smith (Coosa)
Brown	Griffith	Morris	Smith (Lawrence)
Butler	Gunter	McDowell	Tally
Carlton	Harper	Phillips	West
Carmichael			

JOURNAL.

On motion of Mr. West the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

INTRODUCTION OF BILLS.

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. West (by request):

S. 593. To propose and submit to the qualified electors of the State of Alabama at an election to be held on the first Monday after the expiration of three months from and after the final adjournment of the present session of the Legislature at which this amendment is proposed, an amendment to the Constitution of the State of Alabama, whereby the following municipal corporations, Birmingham, Bessemer, Huntsville, Florence, Mobile and Selma, in the State of Alabama may levy and collect a rate of taxation on the property situated therein not exceeding in the total in any one year two (2) per centum of the value of such property as assessed as provided by the Constitution and statutes now or hereafter enacted pursuant to the Constitution; provided,

that the total rate of taxation levied by such municipal corporations shall not in any one year exceed one and one-half (1½) per centum, unless the rate in excess thereof shall have been submitted to and authorized by ballot by the qualified electors of such municipal corporations, respectively, at elections to be held by them from time to time for such purposes and to provide for such elections.

Constitution and Constitutional Revisions and Amendments.

(The above bill was read at length as required by the Constitution.)

By Mr. West (by request):

S. 594. To authorize registers of the circuit court in circuits composed of only one county and having two or more circuit judges, or counties, now or hereafter, having a population of over one hundred thousand according to the last Federal census, to grant, decrees pro confesso on bills or supplemental bills which are in default for want of answer on any day in term time or vacation, and to issue all orders of publication to non-residents or where the address of the defendants is unknown in term time or vacation; or to issue any other process necessary to bring the defendants into court, as now provided by law; and to issue writs of garnishment on judgments or decrees for payment of costs.

Revision of Laws.

By Mr. West (by request):

S. 595. To amend sections 2520 and 2539 of the Civil Code of Alabama, 1907.

Revision of Laws.

By Mr. West:

S. 596. To regulate the holding of elections in all counties in this State having more than thirty-five thousand population, according to the last or any succeeding Federal census.

Privileges and Elections.

By Mr. McDowell:

S. 597. To amend subdivision 7, section 1678, chapter 41 of the Code of 1907.

Finance and Taxation.

By Mr. Rogers of Sumter:

S. 598. To provide for making appropriation to the Alabama school of trades and industries, at Ragland, Alabama.

Finance and Taxation.

By Mr. Rogers of Sumter:

S. 599. To make an appropriation for the improvement of the State Capitol building and grounds and for the acquisition by condemnation or purchase of any real estate necessary or bene-

ficial in improving the present Capitol grounds, and for the erection or acquisition of any necessary additional building or buildings for the use of the State, and to provide a building commission to have control and supervision of same.

Public Buildings and Grounds.

By Mr. Rogers of Sumter :

S. 600. To provide for making appropriations to the Alabama Polytechnic Institute.

Finance and Taxation.

By Mr. Rogers of Sumter :

S. 601. To provide for making appropriations to the State normal schools of Alabama.

Finance and Taxation.

By Mr. Rogers of Sumter :

S. 602. To provide for making appropriations to the University of Alabama.

Finance and Taxation.

By Mr. Rogers of Sumter :

S. 603. To provide for making appropriations to the Alabama School for the Deaf.

Finance and Taxation.

By Mr. Rogers of Sumter :

S. 604. To provide for making appropriations to the Alabama Academy for the Blind.

Finance and Taxation.

By Mr. Rogers of Sumter :

S. 605. To provide for making appropriations to the Alabama School for Negro Deaf Mutes and Blind.

Finance and Taxation.

By Mr. Rogers of Sumter :

S. 606. To provide for making appropriations to the Alabama Boys' Industrial School.

Finance and Taxation.

By Mr. Rogers of Sumter :

S. 607. To provide for the making of an appropriation to the Tuskegee Normal and Industrial Institute.

Finance and Taxation.

By Mr. Rogers of Sumter :

S. 608. To provide for the changing of the name of the Huntsville State Normal and Industrial School, and to provide for the control and management of said school and to make appropriations for maintenance, indebtedness and construction of buildings for said school.

Finance and Taxation.

By Mr. Rogers of Sumter:

S. 609. To provide for making appropriations to the Alabama Girls' Technical Institute.

Finance and Taxation.

By Mr. Rogers of Sumter:

S. 610. To provide for making appropriations to the Alabama Reform School for Juvenile Law Breakers.

Finance and Taxation.

By Mr. Craft:

S. 611. Regulating the sale and exchange of gasoline, benzine, naphtha, and other liquid motor fuel, and providing for the tagging and inspection of such product and creating within the State highway department, the department of liquid fuel inspection and providing penalties for the violation of this act.

Public Roads and Highways.

By Mr. Craft:

S. 612. Allowing costs and fees to officers for the service of process for juvenile courts and for feeding prisoners committed by or held for or under such courts, and to repeal all laws, and parts of laws, general, local, private and special in conflict with this act.

Revision of Laws.

By Mr. Tally:

S. 613. To authorize the introduction of certain evidence in the trial of all cases of homicide.

Judiciary.

By Mr. Tally:

S. 614. To prohibit disconnecting or cutting loose of fences in certain cases and to make it a misdemeanor to do so.

Revision of Laws.

By Mr. Carmichael:

S. 615. To fix the salary of county solicitors in counties having a population of 17,495, according to the last Federal census and a population of not over 17,600 according to any subsequent Federal census; and to provide for the payment of said salaries out of the county treasuries.

Finance and Taxation.

By Mr. Baker:

S. 616. To authorize the court of county commissioners in counties having a population of not less than 30,815, and not more than 30,915 according to the Federal census of 1910, or any subsequent census, to fix such commutation fee as they may deem proper, not to exceed ten dollars, to be paid by persons subject to work on the public roads in such counties in lieu of road

work, and to repeal all laws in conflict with the provisions of this act.

Judiciary.

By Mr. Baker:

S. 617. To amend an act entitled an act to protect the public from dogs running at large, and to provide a penalty for the violation thereof, approved July 27th, 1915.

Revision of Laws.

By Mr. Rogers of Sumter:

S. 618. To declare a lien in favor of landlords upon live-stock raised or grazed upon rented land.

By Mr. Leith:

S. 619. To repeal an act entitled, "An act to better secure the administration of the finance affairs of the State with respect to expenditures and appropriations and for that purpose to establish a State budget commission and to prescribe rules and regulations governing the same," approved February 11, 1919.

Revision of Laws.

By Mr. Leith:

S. 620. To repeal an act entitled, "An act to create a State board of control and economics and to provide members thereof, their tenure in office, salaries, duties and mode of appointment, and to prescribe rules and regulations governing said board," approved February 13, 1919.

Revision of Laws.

By Mr. Leith:

S. 621. Relative to the sale, giving away, furnishing and distribution of certain narcotic drugs, and offenses with reference thereto.

Public Health.

REPORTS OF COMMITTEES.

Mr. Acker, chairman of the Standing Committee on Judiciary, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Lynne:

H. 555. To divide the State into judicial circuits for the circuit court, to be numbered and composed of the counties named.

By Mr. Leith:

S. 588. To authorize a justice of the peace or notary public and ex-officio justice of the peace to issue a warrant in a felony case returnable to the county court and to regulate the costs in such cases.

By Mr. West (with substitute) :

S. 526. To provide for the appointment of deputy circuit solicitors in all circuits in this State having more than five circuit judges, to fix their compensation and to provide the way and manner of paying the same.

By Mr. Acker :

S. 531. To prescribe the various classes of stock that may be issued by corporations, to declare the rights, powers and limitations of the holders of the same, and to prescribe the methods of authorizing the issue thereof, and to provide a remedy against any unauthorized or illegal issue thereof heretofore or hereafter made, and a statute of limitations barring that or any other remedy against the same.

By Mr. Kelly :

S. 383. To provide for the election of a county solicitor for Monroe county, to define his duties and fix his compensation.

By Mr. Acker :

S. 580. To amend an act approved February 18th, 1919, entitled, "An act to authorize the trial court to impose an indeterminate sentence in all felonies for which the court fixes the punishment; to provide for the parole of convicts under the indeterminate sentence, and to authorize the board of pardons to establish rules in the matter of paroles."

By Mr. Acker :

S. 583. To authorize any circuit judge of this State, whenever any person shall be convicted of any non-capital felony or plead guilty thereto, when such person is over the age of sixteen years if such conviction shall be the first conviction of the defendant of a felony, to suspend the execution of the sentence pronounced upon such person and place such person in custody of any suitable resident citizen of the State or State parole agent, during good behavior; and to provide for reports on such person and for the revocation of such suspended sentence by such judge without notice and the arrest and committal of such person to serve such sentence.

By Mr. Acker :

S. 581. To amend an act approved April 22nd, 1911, entitled, "An act to provide bail pending an appeal in all felony cases where the defendant is sentenced to the penitentiary for a term of five years or less.

By Mr. Benners :

H. 787. To establish an inferior criminal court for Jefferson county, Alabama, to define the jurisdiction and powers of said court, the judge, clerk and other officers thereof; to provide for a place of holding said court, terms and salaries of said judge and

officers of said court, the manner of their appointment and election, and the payment of their salaries.

Mr. Miller, chairman of the Standing Committee on Revision of Laws, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Rogers of Lauderdale (with amendment):

S. 589. To establish inferior courts in lieu of all justices of the peace and notaries public with power of justices of the peace in precincts lying within or partly within the county seats of all counties in the State of Alabama having a population of not less than twenty-six thousand eight hundred and not exceeding twenty-six thousand nine hundred according to the Federal census of 1910; provided said county seats have a population of fifteen hundred or more according to Federal census of 1910; to define jurisdiction and powers of said courts and judges and officers thereof and to provide for a place of holding said courts, terms and salaries of the judges and officers of said courts, and the manner of their appointment or election and the payment of their salaries.

By Mr. West:

S. 573. To confer additional criminal jurisdiction on inferior courts or courts established in lieu of justices of the peace by what so ever name called, on which courts criminal jurisdiction is now by law conferred, in counties having a population of over one hundred and fifty thousand, according to the last or any subsequent Federal census.

By Mr. Tally (by request) (with amendment):

S. 222. To amend sections 11, 18, and 32 of an act entitled, "An act to prescribe the qualifications of jurors and regulate the selection, drawing and summoning of jurors, and prescribe the qualifications and provide for the appointment of jury commissioners and clerks of such commissions and regulate the empaneling of grand and petit juries in all the courts of this State," approved August 31st, 1909.

By Mr. Evins:

S. 510. To amend section 6016 of the Code of Alabama of 1907.

By Mr. Rogers of Lauderdale (with amendment):

S. 305. To prevent the unlawful search of the person, baggage and property of another, to prevent the use of evidence obtained by an unlawful search and to prescribe punishment for persons and officers violating the provisions of the act.

By Mr. Lynne:

H. 769. To authorize the court of county commissioners of Bibb county, Alabama, to issue interest-bearing warrants to officers and employees of said county in settlement of claims against the county for services when the county is unable to pay for such services when such claims accrue.

By Mr. Sparks:

H. 683. To amend section 1 of an act to amend section 5346 and repeal section 5347 of the Code of Alabama of 1907, approved September 28th, 1915.

Mr. Prestwood, chairman of the Standing Committee on Constitution and Constitutional Revisions and Amendments, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Acker:

S. 529. To propose and submit to the qualified electors of the State of Alabama at an election to be held on the first Monday after the expiration of three months from and after the final adjournment of the present Legislature, at which this amendment is proposed, an amendment to the Constitution of Alabama, whereby the city of Anniston may levy and collect a rate of taxation on the property situated therein not exceeding in the aggregate in any one year of one and one-half percentum of the value of such property as assessed in the manner provided by the Constitution and the statutes now or hereafter enacted pursuant to the Constitution; provided, however, that the total rate of taxation levied by such municipal corporations shall not in any one year exceed one percentum per annum, unless the rate in excess thereof has been submitted to and authorized by an election by the qualified electors of such municipal corporation at elections to be held from time to time for such purposes and to provide for such elections.

By Mr. Craft:

S. 585. To submit to the qualified voters of the State an amendment to section 93 of the Constitution of the State.

By Mr. Bedsole:

S. 308. To submit to the qualified electors of this State at a special election to be held at the call of the governor after ninety days from the final adjournment of this Legislature for their consideration an amendment to the Constitution for the purpose of authorizing counties to levy special taxes for the construction and maintenance of public roads and bridges; to fix the debt limit and tax limit of counties, to provide for validating the outstanding

debt incurred by counties for the construction of highways, roads, bridges or other public improvements; to permit the same and all other outstanding interest bearing debt to be refunded into bonds and to provide for the payment of the same.

Mr. Briscoe, chairman of the Standing Committee on Penitentiary, Prisons and Prison Punishment, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Orr:

H. 407. To provide for working convicts on the State trunk highways of the State of Alabama, under the supervision of the State highway department in co-operation with the State convict department; to authorize the removal of all able-bodied convicts from the lease system and place them on the trunk highways of the State; to make it unlawful to lease convicts to any person or corporation after the first day of January, 1923; to authorize and empower the State highway commission to purchase from the convict department or paid said convict department for the use or hire of said convicts at the current price for labor, to be determined by the governor; to authorize and require the convict department to make the necessary preparations for housing, caring for, guarding and incarcerating said convicts, by establishing permanent convict road camps in certain parts of the State of Alabama, and to provide such temporary or portable camps and equipment as may be necessary to successfully care for and maintain said convicts as may be worked on the public highways of this State.

Mr. West, chairman of the Standing Committee on Local Legislation, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Prestwood:

S. 558. To divide Conecuh county, Alabama, into four commissioners districts; to provide for the election of county commissioners for said county from each of such districts by the qualified electors of said districts; to provide elections at which the county commissioners for said county shall be elected and to provide for and fix their term of office.

By Mr. Prestwood:

S. 556. To dispose of the fine and forfeiture fund in Conecuh county, Alabama, and to provide for the payment of all claims which are by law a charge against said fund.

By Mr. Prestwood:

S. 557. To authorize the commissioners' court of Conecuh county, Alabama, to pay out of the general fund of said county to the tax assessor of said county, the sum of six hundred dollars per annum for extra assistance in his said office.

By Mr. Arnold:

H. 650. To provide for the appointment of bailiffs in circuits composed of only one county and having four or more judges, and having a sheriff serving on a salary basis, and to fix the compensation of such bailiffs and provide for its payment.

By Mr. Long of Sumter:

H. 546. To amend sections 3, 7 and 11 of an act entitled an act to establish a board of revenue for Sumter county, and for the abolishment of the court of county commissioners of said county, approved February 22nd, 1919.

By Mr. Peters:

H. 641. To provide for the establishment, discontinuance, construction, use, working and maintenance of the public roads and bridges of Fayette county, Alabama; to define the duties and powers of the court of county commissioners, or other governing body of Fayette county with regard to the same; to fix penalties for the violation of the rules, regulations and laws of the court of county commissioners or other like governing body of said county; to provide for the better building, maintenance and protection of the public roads and bridges of Fayette county; to provide funds, regulations and penalties to carry the provisions and purposes of this act into effect; to provide for the more efficient working, construction and repair of the public roads, and bridges in Fayette county, Alabama; to provide for the appointment of road foremen in the several precincts in the county, and to fix their compensation and define their duties and powers and penalties for violation thereof; to provide for a commutation fee in lieu of working the roads; to provide for the levy of a special tax of five per cent of one-fourth of one per centum now allowed by law on all taxable property, to be used exclusively for maintaining and repairing public roads and bridges in Fayette county; to create a separate and special road fund for said county, and to prevent obstruction and damage to the public roads and bridges of said county, and to provide penalties for all violations of the road laws.

By Mr. Salter:

H. 773. To authorize the court of county commissioners of the county of Conecuh in the State of Alabama to appropriate out of the funds in the treasury of said county, an amount not exceeding one hundred dollars per annum, sufficient to pay the

premium for making and insuring the bond of the tax collector of said county where such bond is made and insured by a duly qualified guarantee company.

By Mr. Salter:

H. 772. To require the commissioners court of Conecuh county, Alabama, to publish the minutes of its proceedings at each regular, special and adjourned term in a newspaper printed and published in said county; to require such court to designate the newspaper in which such publication shall be made, to provide for the furnishing of copy to the publisher of such newspaper for publication, and to provide compensation out of the county treasury of said county for furnishing such copy for publication and for publishing same.

By Mr. Salter:

H. 771. To create for the county of Conecuh and State of Alabama the office of county solicitor and to provide for his election by the qualified electors of said county; to prescribe his qualifications and duties, and to fix his compensation as such officer and how the same shall be paid; and to provide for the length of time which he shall hold office.

By Mr. Salter:

H. 770. To divide Conecuh county, Alabama, into four commissioners district; to provide for the election of county commissioners for said county from each of such districts by the qualified electors of said districts; to provide elections at which the county commissioners for said county shall be elected and to provide for and fix their term of office.

By Mr. Parker:

H. 366. To amend an act entitled, "An act to prevent stock from running at large in beats 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 12, 13, 16 and 17 in Coosa county.

By Mr. McDonald:

H. 402. To make the sheriff's fees the same in the county court of Lauderdale county, Alabama, as they are in the circuit court.

By Mr. McDonald:

H. 403. To make the clerk of the circuit court of Lauderdale county, Alabama, ex-officio clerk of the county court of Lauderdale county, Alabama. To provide for compensation for his services as such clerk.

By Mr. Ross:

H. 478. To prohibit goats from running at large in precinct 9 of Jefferson county, Alabama, and to prescribe the jurisdiction and a penalty for the violation thereof.

By Mr. Carnley:

H. 633. To provide a turn-out time for stock in beat 3, in Coffee county, Alabama.

By Mr. Carnley:

H. 599. To regulate the fines and forfeitures of Coffee county, Alabama; to prescribe what claims shall be filed against the fine and forfeiture fund of said county, and to prescribe the order of priority in which the same shall be paid.

By Mr. Carnley:

H. 325. To provide for the better construction, maintenance and protection of the public roads and bridges of Coffee county, Alabama; to provide funds, regulations and penalties to carry the provisions and purposes of this act into effect; to provide for the appointment of a county superintendent of public roads and bridges, and to prescribe his qualifications, powers, and duties.

Mr. Smith of Coosa, chairman of the Standing Committee on Military, reported that said committee, in session, had acted on the following resolution and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Lee of Butler:

H. J. R. 121. Opposes the passage of the Chamberlain-Kahn compulsory military service bill, and urges the Alabama delegation in Congress to secure the defeat of this measure.

Mr. Kelly, chairman of the Standing Committee on Public Roads and Highways, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Beale:

S. 574. To authorize the board of revenue of Tuscaloosa county to exempt from labor on the roads of said county all persons who shall pay the secretary of said board, for the road and bridge fund of said county, five dollars and fifty cents on or before the first day of March in each year.

By Mr. Cliett:

H. 463. To amend section one of an act entitled, "An act to designate certain public roads of the State of Alabama as State trunk roads and to provide the manner in which such roads shall be located, improved and maintained," approved September 10th, 1915.

By Mr. Milford:

H. 719. To create and designate an additional trunk road, extending from Cullman in the county of Cullman, west by Addi-

son, thence south to Jasper and from Jasper south through Gurgenus to Tuscaloosa in Tuscaloosa county, and to confer upon said road all the rights and privileges now extended to trunk roads in this State.

By Mr. Ingram:

H. 581. To amend an act approved September 10, 1915, entitled, "An act to designate certain public roads in the State of Alabama as State trunk roads, and to provide the manner in which such roads shall be located, improved and maintained," and the several acts amendatory thereof.

Mr. Miller, chairman of the Standing Committee on Revision of Laws, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with an adverse report, and it was read a second time and placed on the adverse calendar, to-wit:

By Mr. Huddleston:

S. 520. To prohibit landlords or their agents from refusing to rent to tenants with children or for advertising children as a bar against renting homes and fixing penalties for same.

Mr. Prestwood, chairman of the Standing Committee on Constitution and Constitutional Revisions and Amendments, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with an adverse report, and it was read a second time and placed on the adverse calendar, to-wit:

By Mr. Acker:

S. 224. To propose and submit to the qualified electors of the State of Alabama at an election to be held on the first Monday after the expiration of three months from and after the final adjournment of the present session of the Legislature at which this amendment is proposed, an amendment to the Constitution of Alabama, whereby municipal corporations therein not exceeding in the total in any one year two (2) per centum of the value of such property as assessed, as provided by the Constitution and the statutes now or hereafter enacted pursuant to the Constitution, provided, that the total rate of taxation levied by such municipal corporations shall not in any one year exceed one and one-half ($1\frac{1}{2}$) per centum per annum, unless the rate in excess thereof shall have been submitted to and authorized by ballot by the qualified electors of such municipal corporations, respectively, at elections to be held by them from time to time for such purposes and to provide for such elections.

REPORT OF COMMITTEE ON ENGROSSED BILLS.

Mr. President:

Your Standing Committee on Engrossed Bills, beg leave to report that said committee, in session, have examined and compared the following engrossed bills, with the originals, and find same correctly engrossed, to-wit:

S. 442. To create the office of State fire marshal, and to provide for the appointment of deputy marshal and assistant; to define their powers and duties and to fix their compensation; to provide ways and means for the enforcement of this act and penalties for violation thereof; and to provide means for defraying the expenses incurred under the provisions hereof.

By Mr. Evins:

S. 452. To amend section 2686 of the Code of Alabama of 1907.

By Mr. Griffith:

S. 509. For the relief of Rev. J. M. Johnson.

S. 535. To provide for the construction, maintenance and control of the public roads and bridges of all counties in the State of Alabama having a population of not less than 27,155 and not more than 27,200, by the last or any succeeding Federal census; to further define the duties of the courts of county commissioners, or like governing bodies, of all such counties; to provide for the levy and collection of a vehicle license tax; to provide for the levy and collection of a per capita road tax in commutation of road duty; and to regulate the performance of road duty in such counties by the citizens thereof.

R. B. Evins,
Chairman.

BILLS ON THIRD READING.

The bill:

S. 427. To provide for the number and election of members of the board of education in all cities in the State of Alabama having a population of 100,000, or more, according to any past or future Federal census and to provide for the filling of any vacancy on said board.

Was taken up.

Mr. West offered the following amendment to said bill, to-wit:

Amend Senate bill No. 427 by striking out section 2 of said act and adding in lieu thereof the following:

Section 2. At the general election to be held in November, 1920, the five members of the board of education for all cities affected by this act shall be elected by the qualified voters of

said cities. The officers and officials charged by law with the duty of canvassing and announcing the result of city elections in said cities shall canvass and announce the result of said election, and the two persons receiving the highest number of votes shall serve for a term of six years from the date of their election, and the two persons receiving the next highest number of votes shall serve for a term of four years from the date of their election, and the person receiving the lowest number of votes shall serve for a term of two years from the date of his election; provided, however, that if all or any two persons receive an equal number of voters, their names shall be arranged in alphabetical order as they appear on the ballot, and the first two shall be deemed to have received the highest number of votes and the second two shall be deemed to have received the next highest number, and the last named appearing on the list shall be deemed to have received the lowest number of votes: The persons elected to serve on said board shall qualify within five days after the result of the election is announced, and shall hold office for the period above specified and until their successors are elected and qualified. Their successors shall hold office for a term of six years from the date of their election and until their successors are elected and qualified; and the terms of all persons now serving on the board of education of such cities shall expire on the first Tuesday after the first Monday in November, in 1920."

Which was adopted.

Yeas, 21; nays, 0.

Yeas:

Messrs:

Acker	Cowan	Harper	McDowell
Baker	Craft	Kelly	Phillips
Beale	Espy	Miller	Prestwood
Briscoe	Evins	Moore	Smith (Coosa)
Carlton	Gunter	Morris	West
Carmichael			

—21

Nays:—None.

And said bill, as thus amended, was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 24; nays, 0.

Yeas:

Messrs:

Acker	Briscoe	Cowan	Gunter
Baker	Brown	Craft	Harper
Beale	Butler	Evins	Kelly
Bedsole	Carlton	Griffith	Leith

Moore	Phillips	Rogers (Lauderdale)	Smith (Lawrence)
McDowell	Prestwood	Sims	West

—24

Nays:—None.

The bill:

H. 630. To relieve H. T. Deese, a Confederate soldier.

Was read a third time at length and passed.

Yeas, 23; nays, 0.

Yeas:

Messrs:

Acker	Butler	Kelly	Prestwood
Baker	Carlton	Miller	Rogers (Lauderdale)
Beale	Cowan	Moore	Smith (Coosa)
Bedsole	Griffith	Morris	Tally
Briscoe	Gunter	McDowell	West
Brown	Harper	Phillips	

—23

Nays:—None.

The bill:

S. 522. To amend an act entitled an act "To ratify, confirm, and validate the census of the cities and towns in the State of Alabama, of seven (7,000) thousand inhabitants and less, where the same has been taken as provided by the Code of Alabama of 1907, and the report of the same filed in the office of the secretary of State," approved April 14th, 1911.

Was read a third time at length and passed.

Yeas, 26; nays, 0.

Yeas:

Messrs:

Acker	Carlton	Leith	Rogers (Lauderdale)
Baker	Cowan	Miller	Rogers (Sumter)
Beale	Craft	Morris	Sims
Bedsole	Ellis	McDowell	Smith (Coosa)
Briscoe	Griffith	Phillips	Smith (Lawrence)
Brown	Gunter	Prestwood	West
Butler	Kelly		

—26

Nays:—None.

The bill:

S. 449. To designate a certain road a State trunk road in Cherokee county, Alabama.

Was read a third time at length and passed.

Yeas, 25; nays, 0.

Yeas:

Messrs:

Acker	Beale	Briscoe	Butler
Baker	Bedsole	Brown	Carlton

Cowan	Huddleston	Morris	Rogers (Lauderdale)
Ellis	Kelly	McDowell	Sims
Evins	Miller	Phillips	Smith (Lawrence)
Griffith	Moore	Prestwood	West
Gunter			

—25

Nays:—None.

The bill:

S. 497. To provide for the election of county road engineers in counties having a population of not less than eighty thousand, nor more than eighty-two thousand, according to the Federal census of 1910, and to fix their duties and compensation.

Was taken up.

Mr. Craft offered the following amendment to said bill, to-wit:

To amend bill 497 by adding section 1½:

The board of revenue shall elect a office manager who shall also be bookkeeper, keep all the records of the board of revenue and be the clerk of the board of revenue and to perform such other duties the board of revenue shall require. The salary shall not be more than two hundred dollars per month (\$200.00.)

Which was adopted.

Yeas, 23; nays, 0.

Yeas:

Messrs:

Acker	Butler	Kelly	Sims
Baker	Cowan	Miller	Smith (Coosa)
Beale	Craft	McDowell	Smith (Lawrence)
Bedsole	Espy	Phillips	Tally
Briscoe	Evins	Prestwood	West
Brown	Gunter	Rogers (Lauderdale)	

—23

Nays:—None.

And said bill, as thus amended, was read a third time at length and passed.

Yeas, 23; nays, 0.

Yeas:

Messrs:

Acker	Carlton	Kelly	Sims
Baker	Cowan	Morris	Smith (Coosa)
Beale	Craft	McDowell	Smith (Lawrence)
Bedsole	Espy	Prestwood	Tally
Briscoe	Griffith	Rogers (Lauderdale)	West
Butler	Huddleston	Rogers (Sumter)	

—23

Nays:—None.

The bill:

H. 148. To provide for the election of the county superintendent of education of Morgan county, Alabama, by a direct vote of all the qualified electors of said county.

Was taken up.

Mr. Smith of Lawrence offered the following amendment to said bill, to-wit:

Amend section one of said bill by striking out the words and figures "31st day of December, 1919," and inserting in lieu thereof the words: "First Monday in January, 1921."

Which was adopted.

Yeas, 20; nays, 0.

Yeas:

Messrs:

Acker	Carmichael	Huddleston	Phillips
Baker	Cowan	Kelly	Rogers (Lauderdale)
Beale	Ellis	Miller	Sims
Bedsole	Evins	Moore	Smith (Lawrence)
Brown	Griffith	Morris	Tally
Butler	Harper	McDowell	West
Carlton			

—25

Nays:—None.

And said bill, as thus amended, was read a third time at length and passed.

Yeas, 23; nays, 0.

Yeas:

Messrs:

Acker	Butler	Leith	Sims
Baker	Carmichael	Miller	Smith (Coosa)
Beale	Craft	Moore	Smith (Lawrence)
Bedsole	Ellis	McDowell	Tally
Briscoe	Griffith	Phillips	West
Brown	Huddleston	Rogers (Lauderdale)	

—23

Nays:—None.

The bill:

H. 617. To fix the salary of tax collectors in counties having a population of over eighty-two thousand and not exceeding one hundred thousand according to the last Federal census or any subsequent census and allowances for clerical help in said offices and to provide for payment thereof.

Was taken up.

Mr. Gunter offered the following amendment to said bill, to-wit:

Amend by striking out words five hundred in line 11 of section 1 and insert in lieu thereof the words one thousand.

Which was adopted.

Yeas, 23; nays, 0.

Yeas:

Messrs:

Acker	Carlton	Huddleston	Rogers (Lauderdale)
Baker	Carmichael	Kelly	Sims
Beale	Ellis	Miller	Smith (Coosa)
Bedsole	Espy	Morris	Smith (Lawrence)
Briscoe	Griffith	McDowell	Tally
Butler	Gunter	Phillips	

—23

Nays:—None.

And said bill, as thus amended, was read a third time at length and passed.

Yeas, 21; nays, 0.

Yeas:

Messrs:

Acker	Carmichael	Leith	Sims
Baker	Craft	McDowell	Smith (Coosa)
Beale	Espy	Phillips	Smith (Lawrence)
Bedsole	Griffith	Rogers (Lauderdale)	Tally
Briscoe	Huddleston	Rogers (Sumter)	West
Butler			

—21

Nays:—None.

The bill:

H. 547. To authorize the commissioners court of Tallapoosa county to issue a warrant in favor of Jennie Hagerdorn, for the sum of \$888.62, and to provide for the payment of the same by the county treasurer.

Was read a third time at length and passed.

Yeas, 23; nays, 0.

Yeas:

Messrs:

Acker	Butler	Huddleston	Rogers (Sumter)
Baker	Carlton	Leith	Smith (Coosa)
Beale	Carmichael	Miller	Smith (Lawrence)
Bedsole	Craft	Morris	Tally
Briscoe	Espy	McDowell	West
Brown	Griffith	Rogers (Lauderdale)	

—23

Nays:—None.

The bill:

H. 548. To authorize the commissioners court of Tallapoosa county to issue a warrant in favor of the Alexander City Bank, for the sum of \$1,080.11, and to provide for the payment of the same by the county treasurer.

Was read a third time at length and passed.

Yeas, 23; nays, 0.

Yeas:

Messrs:

Acker	Carlton	Kelly	Rogers (Sumter)
Baker	Cowan	Leith	Sims
Beale	Ellis	Moore	Smith (Coosa)
Bedsole	Evins	McDowell	Smith (Lawrence)
Briscoe	Griffith	Prestwood	Tally
Brown	Harper	Rogers (Lauderdale)	—23

Nays:—None.

The bill:

H. 609. To amend section four of an act entitled an act to establish an inferior court in precincts two and thirty-three in Jefferson county, Alabama, said precincts lying within or partly within the city of Bessemer, in lieu of all justices of the peace in said precincts and to define the jurisdiction and power of the said court and of the judge, clerk and other officers thereof and to provide for a place for holding the same; approved August 27th, 1915.

Was read a third time at length and passed.

Yeas, 23; nays, 0.

Yeas:

Messrs:

Acker	Butler	Harper	Phillips
Baker	Carlton	Huddleston	Prestwood
Beale	Carmichael	Leith	Rogers (Lauderdale)
Bedsole	Craft	Miller	Sims
Briscoe	Ellis	Morris	Smith (Coosa)
Brown	Griffith	McDowell	—23

Nays:—None.

The bill:

H. 579. To regulate and provide for the working, building, maintenance and upkeep of the public roads and bridges in Bibb county, Alabama, and prescribe manner and means of collecting and raising revenue and funds for the working, building, maintenance and upkeep of the public roads and bridges of and in Bibb county, Alabama; To regulate the public roads and bridge affairs of Bibb county, Alabama; to provide funds, regulations and penalties to carry the provisions and purposes of this act into effect, and the manner and means of raising or collecting such funds, and to provide for the collection of a per capita road tax and for a license tax on all vehicles including vehicles propelled by animals, electricity, gasoline or other power whatsoever to be

used for the maintenance, building, upkeep and repair of such roads and bridges and for the collection thereof.

Was read a third time at length and passed.

Yeas, 23; nays, 0.

Yeas:

Messrs:

Acker	Butler	Miller	Sims
Baker	Carmichael	Morris	Smith (Coosa)
Beale	Craft	McDowell	Smith (Lawrence)
Bedsole	Griffith	Phillips	Tally
Briscoe	Gunter	Prestwood	West
Brown	Huddleston	Rogers (Lauderdale)	

—23

Nays:—None.

The bill:

S. 503. To authorize and empower the solicitor, in all circuits in the State of Alabama, having five or more circuit judges, to employ any and all shorthand reporters necessary to properly report the proceedings before the grand jury, and transcribe the same, and stenographer, or stenographers, for the office work of such solicitor; and any and all assistants necessary to properly administer justice in such circuits; and to fix their compensation and the manner of payment of such compensation and salaries; and to incur any and all expense necessary to properly administer justice in such circuits.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 24; nays, 0.

Yeas:

Messrs:

Acker	Butler	Leith	Rogers (Lauderdale)
Baker	Carlton	Miller	Sims
Beale	Cowan	Morris	Smith (Coosa)
Bedsole	Ellis	McDowell	Smith (Lawrence)
Briscoe	Griffith	Phillips	Tally
Brown	Huddleston	Prestwood	West

—24

Nays:—None.

The bill:

H. 575. To require all the fees collected under and by virtue of sections 6655 and 6656 of the Code of Alabama, in the county court of Shelby county, Alabama, to be paid into the county treasury of Shelby county, Alabama; to provide a fund out of which the salary of the judge of the county court of Shelby county, Alabama, shall be paid; to fix the amount of such salary, and to provide for the payment of said salary by warrants of said

judge drawn on the treasury of said county, and making said warrants a preferred claim against the treasury of said county.

Was read a third time at length and passed.

Yeas, 24; nays, 0.

Yeas:

Messrs:

Acker	Butler	Harper	Prestwood
Baker	Carlton	Huddleston	Rogers (Sumter)
Beale	Carmichael	Miller	Sims
Bedsole	Ellis	Morris	Smith (Coosa)
Briscoe	Griffith	McDowell	Tally
Brown	Gunter	Phillips	West

—24

Nays:—None.

The bill:

H 537. To further prescribe times of election and terms of office of the county commissioners of Henry county, Alabama.

Was read a third time at length and passed.

Yeas, 22; nays, 0.

Yeas:

Messrs:

Acker	Carlton	Moore	Rogers (Sumter)
Baker	Cowan	Morris	Smith (Coosa)
Beale	Griffith	Phillips	Smith (Lawrence)
Bedsole	Huddleston	Prestwood	Tally
Briscoe	Kelly	Rogers (Lauderdale)	West
Brown	Miller		

—22

Nays:—None.

The bill:

S. 540. To authorize and empower the county of Marengo to issue its bonds, bearing interest at the rate of six per centum per annum, for the purpose of refunding its indebtedness, existing at the date of the approval of this act; to sell the same at not less than their face value; to regulate their issuance and sale, and to repeal all laws in conflict with this act, in so far as the said county is concerned.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 21; nays, 0.

Yeas:

Messrs:

Acker	Ellis	Morris	Sims
Baker	Griffith	McDowell	Smith (Coosa)
Beale	Harper	Phillips	Smith (Lawrence)
Bedsole	Huddleston	Prestwood	Tally
Carlton	Miller	Rogers (Lauderdale)	West
Carmichael			

—21

Nays:—None.

The bill:

S. 230. To fix the amount of ex-officio fees of sheriffs in all counties having a population of more than 37,900 and less than 38,000 according to the 1910 Federal census where the assessed value of real and personal property in such counties exceed ten million dollars and to provide for the payment of the same.

Was taken up. Mr. Smith offered the following amendment to said bill:

Amend caption of bill by inserting after words: "1910 Federal census" in caption, the words: "or any subsequent census."

Amend bill by inserting after words: "1910 Federal census" where they appear in the bill, the words: "or any subsequent census."

Which was adopted.

Yeas, 22; nays, 0.

Yeas:

Messrs:

Acker	Craft	McDowell	Sims
Baker	Ellis	Phillips	Smith (Coosa)
Beale	Griffith	Prestwood	Smith (Lawrence)
Bedsole	Huddleston	Rogers (Lauderdale)	Tally
Carlton	Miller	Rogers (Sumter)	West
Carmichael	Moore		

—22

Nays:—None.

And the bill, as thus amended, was read a third time at length and passed.

Yeas, 24; nays, 0.

Yeas:

Messrs:

Acker	Cowan	Leith	Rogers (Sumter)
Baker	Craft	Moore	Sims
Beale	Ellis	Morris	Smith (Coosa)
Bedsole	Griffith	McDowell	Smith (Lawrence)
Briscoe	Huddleston	Phillips	Tally
Brown	Kelly	Rogers (Lauderdale)	West

—24

Nays:—None.

The bill:

S. 536. To provide for the compensation of deputy solicitors in all counties of the State, having a population of more than 27,100 and less than 27,200, according to the last Federal census, and to provide the manner in which the same shall be paid.

Was taken up.

Mr. Kelly offered the following amendment to said bill:

Amend the caption of Senate bill 536 by inserting after the words: Federal census the following words: "or any subsequent Federal census."

And the amendment was adopted.

Yeas, 22; nays, 0.

Yeas:

Messrs:

Acker	Cowan	McDowell	Sims
Baker	Ellis	Nance	Smith (Coosa)
Beale	Griffith	Phillips	Smith (Lawrence)
Bedsole	Huddleston	Rogers (Lauderdale)	Tally
Butler	Leith	Rogers (Sumter)	West
Carmichael	Morris		

—22

Nays:—None.

And the bill, as thus amended, was read a third time at length and passed.

Yeas, 23; nays, 0.

Yeas:

Messrs:

Acker	Carlton	Leith	Sims
Baker	Ellis	Miller	Smith (Coosa)
Beale	Evins	Nance	Smith (Lawrence)
Bedsole	Griffith	Phillips	Tally
Briscoe	Huddleston	Rogers (Lauderdale)	West
Butler	Kelly	Rogers (Sumter)	

—23

Nays:—None.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has originated and passed the following bills:

H. 634. To prevent frauds and impositions upon the people of the State and to protect investors.

Also:

H. 167. To amend section 25 of an act entitled an act to prescribe the qualifications of jurors and regulate the selection, drawing and summoning of jurors, and prescribe the qualifications and provide for the appointment of jury commissioners and clerks of such commissions and regulate the empanelling of grand and petit juries in all the courts of this State, approved August 31st, 1919.

Also:

H. 188. To authorize the tax collectors in counties of the State of Alabama which have one hundred and fifty thousand population, or over, according to the last Federal census, or any subsequent Federal census, to employ Deputies or assistants, and

to fix their compensation; to provide the manner of paying same; to require bonds from such deputies or assistants and to provide for the payment of the premiums on such bonds; to provide that total amount expended for such deputies or assistants shall not exceed twenty thousand dollars per annum.

Also:

H. 270. To amend section one of an act entitled, "An act to provide for building and maintaining public highways through incorporated towns and cities by boards of revenue and courts of county commissioners in all counties of two hundred thousand inhabitants or more, out of any money at any time subject to the disposal of such boards of revenue and courts of county commissioners for road purposes.

Also:

H. 481. To amend an act entitled an act to amend section 1 of an act entitled "An act to designate certain public roads of the State as State trunk roads and to provide the manner in which the State roads shall be located, improved and maintained, approved September 10th, 1915," which amended act was approved February 19, 1919.

Also:

H. 786. To amend section 16 of an act entitled, "An act to further prescribe and regulate the qualifications, number, designation, duties and powers of the circuit judges of the State and to provide for their election and appointment," approved September 25, 1915.

Also:

H. 835. To authorize the commissioners or other governing authorities in all cities of the State of Alabama which have a population of as many as twenty-five thousand and less than fifty thousand people, according to the last Federal census, or which shall hereafter have such population according to any Federal census that may be taken hereafter, to make contributions or expenditures to civic or commercial organizations located in such cities where such expenditure or contribution is for the purpose of advancing the best interests of such cities.

Also:

H. 867. To establish a trunk highway beginning at Cullman, Cullman county, and running to Commercial, Walker county, Ala.

Also:

H. 880. To provide for the construction, maintenance and control of the public roads and bridges of all counties in the State of Alabama having a population of not less than 27,155, and not more than 27,200, by the last or any subsequent Federal census;

to further define the duties of the courts of county commissioners, or like governing bodies, of all such counties; to provide for the levy and collection of a per capita road tax in commutation of road duty; and to regulate the performance of road duty in such counties by the citizens thereof.

Also:

H. 646. To close, vacate and annul the alley which runs from Winkler avenue eastward through block F, according to the map and survey of the South Highlands Land Company, recorded in the office of the judge of probate of Jefferson county, in map book seven, at page three.

With notice and proof attached hereto and exhibited as follows:

NOTICE.

Notice is hereby given that a bill will be introduced in the 1919 adjourned session of the Legislature of Alabama providing in substance that Frisco street be closed and vacated from Winkler avenue eastward where said streets runs by and alongside of Avenue F, according to the map and survey of the South Highlands Land Company, recorded in the office of the probate judge of Jefferson county, Alabama, in map book seven (7), page three (3), and that the alley which runs through said Block "F" be closed and vacated for the full width of said Block "F."

Thomas J. Judge.

State of Alabama, }
County of Jefferson. }

Before me, the undersigned authority, in and for the county and State, aforesaid personally appeared George M. Howle, editor of the Weekly Call, a weekly newspaper published in said State and county, who, being by me first duly sworn deposes and says that the notice, a true copy of which is hereto attached was published in the Weekly Call, once a week for four (4) consecutive weeks, commencing on the 31st day of May, 1919.

George M. Howle,
Editor of the Weekly Call.

Sworn to before me, and signed in my presence, this 19th day of July, 1919.

Thomas J. Roe,
Notary Public.

Also:

H. 667. To provide for establishing and holding circuit court at Haleyville, Winston county, Alabama; to fix the jurisdiction thereof, to regulate proceedings therein; to provide officers and juries, both grand and petit, for holding said court and for the transaction of the business thereof, and to regulate their duties; to provide for a register and deputy register, or clerk, for the equity side of said court and to prescribe and regulate their duties.

With notice and proof attached hereto and exhibited as follows:

NOTICE.

Notice is hereby given of the intention to apply for the passage of the following bill at the 1919 session of the Legislature of Alabama:

A BILL

To be entitled an act to provide for establishing and holding circuit court at Haleyville, Winston county, Alabama; to fix the jurisdiction thereof, to regulate proceedings therein; to provide officers and juries, both grand and petit, for holding said court and for the transaction of the business thereof, and to regulate their duties; to provide for a register and deputy register, or clerk, for the equity side of said court and to prescribe and regulate their duties.

Section I. Be it enacted by the Legislature of the State of Alabama, That there shall be held at Haleyville, Winston county, Alabama, two jury terms each year and two non-jury terms each year of the circuit court of Winston county, which said terms shall begin at a time set by the presiding judge of said circuit and may continue two weeks, provided said court shall be open at all times for the transaction of any and all business, or judicial proceedings of every kind during the periods fixed by law for such courts.

Section II. Said court shall have original jurisdiction to try and determine all civil, criminal and chancery matters arising within the territory embraced in precincts 2, 3, 10 and 11 in Winston county, Alabama.

Section III. Said court shall be presided over by one of the judges of the fourteenth judicial circuit of the State of Alabama, or the judge of any other circuit to which Winston county may hereafter be attached, or any judge authorized by law to preside over the circuit court in Winston county; and all criminal causes pending in said court shall be prosecuted by the solicitor of said circuit or any other solicitor legally assigned.

Section IV. All appeals or certiorari proceedings from the justice courts, the mayor's courts, municipal courts and county court of Winston county, where the cause of action arose in said territory above mentioned, shall be taken, heard and disposed of in said circuit court at Haleyville.

Section V. The clerk of the circuit court of Winston county shall be ex-officio the clerk of said court, and shall be required to procure and keep necessary dockets, records and books for the use of said court, and the dockets, records, books and papers pertaining to said court shall be kept by him in his office hereafter provided for in Haleyville. He shall also keep in Haleyville in said office a deputy to transact the business of the clerk, and said deputy may, in the name of the clerk, issue all process in the manner and form required by law, and the clerk himself when so required, shall likewise issue all papers and process for said court at Haleyville, but all such process, papers and documents so issued shall be returnable to the circuit court at Haleyville.

Section VI. The sheriff of Winston county shall keep a deputy for said court in his office in Haleyville, hereinafter provided for; and the sheriff shall also keep all needful records for said court as now provided and required by law to be kept for the circuit court of Winston county, Alabama. He shall execute and serve all process, writs and papers that may be returnable to said circuit court at Haleyville and shall, in person or by deputy, attend each and every term of said court. All legal sales by the sheriff arising in the jurisdiction of said court shall be made by him in front of the place where the circuit court is held in Haleyville.

Section VII. Grand juries shall be drawn to serve in said circuit court at Haleyville, and shall exercise all of the powers and jurisdiction and shall be charged with all of the duties of the regular grand jury of said county, but shall not docket or investigate matters arising out of the jurisdiction of said court herein provided for.

Section VIII. Grand and petit juries for said court shall be drawn, summoned and empaneled in the way and manner prescribed by law for such courts, which said juries shall be composed of the qualified jurors residing in the territory of which this court, herein provided for, shall have jurisdiction. And when so drawn and summoned shall attend the court under the pains and penalties prescribed by law for the service of jurors, and they shall receive the same compensation, both as to per diem and mileage, as regular jurors serving in the circuit court of said county.

Section IX. The clerk of the court herein provided for or his deputy at Haleyville, shall set down for trial in the circuit court at Haleyville all criminal causes arising by indictment in the circuit court of said county or by appeal from the justices' courts, the mayor's courts and the county court where the cause of action arose in the territory embraced within the jurisdiction of said circuit court at Haleyville as herein provided for; and said causes shall be tried under the rules and regulations for the trial of criminal causes in the circuit court of Winston county.

Section X. All causes now pending in the circuit court of Winston county where the cause of action arose within the jurisdiction of said circuit court at Haleyville as herein provided shall be set down for trial at the first term of the circuit court at Haleyville.

Section XI. The said circuit court at Haleyville shall be governed by the rules of pleading and practice provided by law for the circuit court of Winston county and shall be in all respects a branch of said regular circuit court.

Section XII. The register in chancery for said county shall also be register in chancery for the equity side of the court herein provided for and must appoint a clerk or deputy register to serve in his place at Haleyville, who shall perform all of the duties and have all of the powers of the register for said county in so far as the court at Haleyville is concerned. The said clerk or deputy register shall issue all process in the manner and form prescribed by law, and the register, himself, when so required, shall likewise issue all papers and process for said court at Haleyville, but all such process, papers and documents so issued shall be returnable to the circuit court, equity side, at Haleyville.

The said register shall keep at Haleyville all necessary dockets, records, books and papers pertaining to said court, equity side, at Haleyville.

All legal sales and other acts or duties provided by law to be had or done at or in front of the court house of said county may be had or done at or in front of the place where the circuit court is held in Haleyville, Alabama.

Section XIII. Within thirty days after the passage of this act and its approval by the governor, the court of county commissioners of Winston county, Alabama, shall provide a suitable place for holding said court and the necessary dockets, books, records and stationery for the use of said court shall be purchased at the expense of the county.

Section XIV. The city of Haleyville shall tender to the sheriff of Winston county and his deputies the use of its municipal prison for the incarceration of prisoners during the terms of said court and at such times as may be found convenient by the sheriff and his deputies, but without expense to the county.

Section XV. That if any section, clause or provision of this act shall be declared unconstitutional, it shall not be held to affect any other section, clause or provision, but the same shall remain in full force and effect.

State of Alabama, }
County of Winston. }

Personally appeared before me, the undersigned authority in and for

the State and county aforesaid, J. M. Bankston, who being by me first duly sworn, deposes and says: That he is the editor and publisher of the Haleyville Journal, a weekly newspaper published in Haleyville, in said county and State; that the attached notice was published in said newspaper for four consecutive weeks, on to-wit: January 30th, 1919, February 6th, 1919; February 13th, 1919, and February 20th, 1919.

J. M. Bankston.

Sworn to and subscribed before me this 2nd day of June, 1919.

(Seal.)

Chester Tubb,
Notary Public.

Also:

H. 693. To abolish the town of Hollins, a municipal corporation, in Clay county, Alabama, and to dissolve the incorporation thereof, and to provide for the disposition of the records of said town.

With notice and proof attached hereto and exhibited as follows:

NOTICE OF LOCAL BILL.

To Whom This May Concern:

Notice is hereby given that a local bill will be introduced in the Legislature of Alabama, during the regular session thereof, 1919, the substance of which local bill will be: To abolish the town of Hollins, Clay county, Alabama, and to dissolve the incorporation thereof.

L. M. Williams,
Mayor Town of Hollins.

The State of Alabama, }
Clay County. }

Before me, O. B. Cornelius, judge of probate of said county, personally appeared B. W. Sims, who being first duly sworn, deposes and says that he publishes The Ashland Progress in the town of Ashland, Clay county, Alabama, and that the notice of local bill, a copy of which is hereto attached, was published in said newspaper for four consecutive weeks, beginning with the issue of June 20, 1919, and ending with the issue of July 11th, 1919.

B. W. Sims.

Sworn to and subscribed before me, this 19th day of July, 1919.

O. B. Cornelius,
Judge of Probate.

Also:

H. 730. To require the members of the commissioners court of Crenshaw county, Alabama, to execute bond for the faithful performance of their official duties.

With notice and proof attached hereto and exhibited as follows:

TO THE PEOPLE OF CRENSHAW COUNTY.

You will take notice that at the session of the Legislature, which convenes on the 8th day of July, 1919, a bill will be introduced for passage and enactment into law, the substance of which shall be as follows:

A BILL

To be entitled an act to require the members of the commissioners court of Crenshaw county, Alabama, to execute bond for the faithful performance of their official duties.

Be it enacted by the Legislature of Alabama:

Section 1. That the members of the court of county commissioners of Crenshaw county are each hereby required to execute a bond in the sum of three thousand dollars, with at least two good and sufficient sureties, or to be made by some responsible guaranty company and payable to Crenshaw county, Alabama, which bond shall be approved by the judge of probate of Crenshaw county and recorded in his office as other official bonds; said bond to be conditioned for the faithful performance of the several duties required of them by law, also for the repayment to the county treasurer of any and all sums of money illegally paid out on warrant or warrants, for the issuance of which the members may vote, and for the faithful compliance with the provisions of this act.

Section 2. That any member of said court who fails to execute and file the bond herein required within ten days after this act goes into effect, vacates his office and the judge of probate shall thereupon notify the governor of such vacancy and it shall be the duty of the governor to fill said vacancy by appointment.

Section 3. That it shall be the duty of the clerk of the commissioners court of Crenshaw county to keep in a well bound book, as a part of the minutes and proceedings of the court an accurate and detailed vote of each member of the court on all matters in which money is appropriated.

Section 4. That this act shall become effective on the first day of October, 1919.

Section 5. That all laws and parts of laws, local, general, and special, in conflict with this act be and they are hereby repealed.

W. H. Stoddard,
Representative for Crenshaw County.

AFFIDAVIT OF PUBLICATION.

I, C. L. Keelter, publisher of the Crenshaw County News, a newspaper published weekly at Luverne, Crenshaw county, Alabama, do solemnly swear that a copy of the above notice, as per clipping attached, was published once a week in the regular and entire issue of said newspaper, and not in any supplement thereof, for four consecutive weeks, commencing with the issue dated July 10th, 1919, and ending with the issue dated July 31st, 1919.

C. L. Keelter.

Subscribed and sworn to before me this 31st day of July, 1919.

(Seal.)

Wilkie Pope,
Notary Public.

Also:

H. 761. To provide for the more efficient construction and maintenance of the public roads and bridges of Crenshaw county; to provide for the election of a county engineer, to fix his salary and term of office and to prescribe his duties; to prescribe the duties of the commissioners court under this act; to provide revenue for the roads and bridges of the county; to levy a commutation fee of five dollars in lieu of road work; to levy a vehicle

license tax for road purposes; to prescribe the duties of the tax assessor, tax collector, probate judge and sheriff under this act and to fix their compensation; to provide for the assessment and collection of the taxes under this act; to provide for the punishment of persons violating the provisions of this act; to provide for the disposition of fines and forfeitures, collected under this act and for the hire of county convicts under this act and to provide such other duties as may be necessary for the better and more efficient construction and maintenance of the public roads and bridges of the county.

With notice and proof attached hereto and exhibited as follows:

PROPOSED ROAD LAW FOR CRENSHAW COUNTY.

To the People of Crenshaw County:

Take notice that at the coming session of the Legislature which convenes on the 8th day of July, 1919, a bill will be introduced for passage and enactment into law, the substance of which shall be as follows:

A BILL

To be entitled an act to provide for the more efficient construction and maintenance of the public roads and bridges of Crenshaw county; to provide for the election of a county engineer, to fix his salary and term of office and to prescribe his duties; to prescribe the duties of the commissioners court under this act; to provide revenue for the roads and bridges of the county; to levy a commutation fee of five dollars in lieu of road work; to levy a vehicle license tax for road purposes; to prescribe the duties of the tax assessor, tax collector, probate judge and sheriff under this act and to fix their compensation; to provide for the assessment and collection of the taxes under this act; to provide for the punishment of persons violating the provisions of this act; to provide for the disposition of fines and forfeitures collected under this act and for the hire of county convicts under this act and to provide such other duties as may be necessary for the better and more efficient construction and maintenance of the public roads and bridges of the county.

Be it enacted by the Legislature of Alabama:

Section 1. That the court of county commissioners of Crenshaw county shall within three months after the approval of this act elect a county engineer who shall be the superintendent of all public roads and bridges of said county; the commissioners court of Crenshaw county shall provide the county engineer with a suitable office at the county seat and shall furnish it with the necessary furniture and fixtures. The county engineer shall hold his office for the term of two years and until his successor shall be elected and qualified. The county engineer shall have charge of the location, construction and maintenance of the public roads and bridges of the county, subject to the general direction of the commissioners court; he shall have charge of the records of the county concerning roads and bridges, except as herein provided; he shall select all his subordinate employees, subject to the approval of the commissioners court. He shall prepare and approve all plans and specifications, and none of his plans, and specifications, orders or directions shall be countermanded or changed, except by an order of the commissioners court duly spread on its minutes. The county engineer shall devote his entire time to the duties of his office and to such

other duties as may be assigned to him by the commissioners court, provided that he may with the consent of the commissioners court, do surveying or engineering work for private parties or municipalities, for which service he shall charge such fees as may be determined by the commissioners court and such fees, when collected, shall be paid into the road and bridge fund of the county.

Section 2. The salary of the county engineer shall be fixed by the commissioners court, provided that the salary shall not be less than fifteen hundred dollars per annum, payable monthly by warrant on the county treasurer.

Section 3. The county engineer before entering on the duties of his office shall furnish the county with a surety bond in the sum of two thousand dollars conditioned on the faithful performance of his duties.

Section 4. That no person shall be eligible to hold the office of county engineer unless he is a competent civil engineer and unless he has had at least two years practical experience in road construction. He shall also be required to pass satisfactorily an examination designed to test his fitness for the position. The examination herein provided for shall be held under the direction of the State highway commission and under such regulations as it may prescribe.

Section 5. That if the commissioners court fail or refuse to comply with the provisions of section 1 and section 2 of this act, each member shall be guilty of a misdemeanor and on conviction must be fined not less than three hundred nor more than five hundred dollars and addition thereto, he may be imprisoned in the county jail for not more than thirty days.

Section 6. That before any work is done in the construction or improvement of any road or bridge, except necessary maintenance work, the engineer shall make such surveys as may be necessary and shall prepare definite plans, specifications and estimates of the cost of the work and shall submit the same to the commissioners court with his recommendations as to the best method of doing the work. The court of county commissioners shall pass upon said plans, specifications and estimates and when said plans and specifications are approved, the county engineer shall be authorized to proceed with the work by contract or by force account as the commissioners court shall direct.

If the commissioners court determine to do such work by contract, the county engineer shall advertise for bids in a newspaper published in the county and in a daily newspaper of general circulation in the State of Alabama and by posting a copy of the advertisement at the court house. The advertisement shall state the general character of the work to be done, the amount of certified check required, the person or persons designated to receive bids, and the time and place at which bids will be opened. The court of county commissioners shall require all bids to be sealed and to be accompanied by a certified check which shall bind the bidder to enter into a contract in the event of his being awarded the work. If reasonable bids are received for doing the work, the contract shall be awarded to the lowest responsible bidder, provided that the commissioners court may reject all bids or they may reject the bid of any contractor who is known to be inexperienced or incompetent.

Section 7. That the commissioners court of Crenshaw county may enter a contract with a contractor for the construction, maintenance or repair of any road, or part thereof, any bridge or appurtenance thereto provided that all contracts for construction work, whether road or bridge construction, shall be let as provided for in section six of this act.

Section 8. That any contractor employed to construct or maintain any road or bridge or any appurtenance thereto, shall before beginning such

work execute a bond payable to the county of Crenshaw for twice the amount of the contract price; said bond to be made by a surety company approved by the commissioners court of Crenshaw county and conditioned upon the faithful performance of the contract and the faithful discharge of his duties thereunder.

Section 9. That if the county of Crenshaw, any municipality therein, or any person, firm or corporation of said county is injured or damaged by the failure of such contractor to faithfully perform his contract and discharge his duties thereunder, an action may be maintained, under such bond, to recover such damage as may have been sustained.

Section 10. That when a new road is to be constructed or the location of an existing road to be changed, the court of county commissioners shall pass a resolution directing the county engineer to make a preliminary survey for said road, describing the terminal points of the said survey and appointing a time at which the court of county commissioners will meet to hear objections to the location of said road or its classification. As soon as practical after the passage of such resolution, the county engineer shall stake out such road and prepare a map and profile of the same. The map shall show all buildings and fences within two hundred feet of said road and any other improvements which may affect the amount of damages which may be caused to property by the construction of said road. It shall also be the duty of the engineer to publish a notice to the effect that he has made surveys for said road; that the map and profile are on file in his office and subject to public inspection and giving the time when the court of county commissioners will meet to hear objections to the location of said road or its classifications. Such notice shall be given by publication in a newspaper of general circulation in the county, by posting a copy at the court house and by posting one copy at each terminal point of the survey. The court of county commissioners shall meet at the court house at the time named in the said notice and after hearing objections to the location of said road or its classification, the said commissioners court may confirm said location, order it amended or abandoned and said action may be shown on its minutes.

Section 11. That the court of county commissioners shall with the advice of the county engineer, classify all the public roads of the county into classes designated as first class, second class, and third class roads. The lawful widths of rights of way of the several classes of roads shall be as follows: First class roads, fifty feet; second class roads, forty feet; third class roads, thirty feet. The widths of traveled ways, the grades and character of improvement of traveled ways, the grades and character of improvement of each road shall be determined by the court of county commissioners in view of the requirements of traffic on each road; and the court of county commissioners may change the classification of any road or any specified part thereof at any time.

Section 12. That the court of county commissioners shall have authority to purchase such materials, supplies, teams and other equipment as may be necessary in the office or field for properly carrying on the work of construction and maintenance of the public roads and bridges of the county. The county engineer shall prepare requisitions for such materials and supplies as will be needed for roads and bridges and shall obtain quotations from at least two dealers on each class of article required and shall submit said requisition to the court of county commissioners. When such requisition is approved by the court of county commissioners the county engineer shall be authorized to purchase such approved articles at prices not exceeding those specified in the requisition. The county engineer with the approval of the court of county commissioners shall be authorized to employ

such assistant engineers, inspectors, road men, foremen, overseers and teams and to rent such equipment as may be necessary for carrying on the work of construction and maintenance of the public roads and bridges of the county. The county engineer may, with the approval of the court of county commissioners, employ a sufficient number of persons to systematically drag each public dirt road in the county as directed by the county engineer and the court of county commissioners. The price of such work shall be fixed by the court of county commissioners, on the recommendation of the county engineer.

Section 13. That the county engineer shall require all bills, including estimates allowed contractors and allowances for salary and expenses be made in duplicate. He shall certify as to the correctness of each bill and shall file the duplicate of each bill in his office and will issue a warrant on the county treasurer for the amount of each bill certified by him, the bill and warrant to bear the same serial number. Before a warrant issued by the county engineer shall be payable it shall have been previously authorized and approved by the court of county commissioners and shall be presented with its corresponding original bill to the chairman of the court of county commissioners, who shall countersign said warrant and file the original bill in his office. This file and that in the office in the county engineer shall be preserved as public records and they shall be delivered by the county engineer and the chairman of the court of county commissioners to their respective successors in office. The warrants issued by the county engineer in accordance with the provisions of this act when countersigned by the chairman of the court of county commissioners shall be paid by the county treasurer and charged to county road and bridge fund.

Section 14. That the county engineer shall prepare a map of the county, showing the location of all public roads and indicating the character of improvements which have been made on each road. This map shall be revised and brought down to date annually. A tracing of said map shall be made and deposited in the office of the judge of probate for safe keeping.

Section 15. That the county engineer shall submit to the grand jury at each term for its inspection all his books, accounts and vouchers, together with a general report of the condition of the roads and bridges of the county, the work he has performed and the amount of money expended and the purpose for which such expenditures were made.

Section 16. That the court of county commissioners, may in its discretion, employ a civil engineer of recognized ability to check the work of the county engineer whenever it is made to appear that he has made an erroneous report or an improper recommendation to the court. If, on the coming in of the report of said expert, it is made to appear that the county engineer has made a false estimate or an improper recommendation to the court, whereby the interest of the people of Crenshaw county have not been properly cared for, it shall be the duty of the court of county commissioners to discharge the county commissioners to discharge the county engineer and forthwith fill his position with a suitable engineer who shall be certified by the State highway commission as provided in section 4 of this act.

The court of county commissioners, upon the discharge of the county engineer, shall certify a copy of the charges against him to the county or circuit solicitor, whose duty it shall be to proceed against the bond for whatever damages may have been sustained by the county.

Section 17. That all male persons citizens of Crenshaw county, Alabama, between the ages of eighteen and forty-five years, who are not exempt from road duty under the general laws of Alabama are liable to work on the public roads of Crenshaw county, Alabama, for ten days during each road year; provided, however, that any person liable for road duty may

relieve himself from such liability by paying annually a road tax of \$5.00 as hereinafter provided for. Provided further that any person liable to road duty who desires to work said public roads in lieu of paying said road tax of \$5.00 shall before the first day of November of each year after the passage of this act file in the office of the judge of probate of said county his written declaration declaring that he will work said public roads as provided in this act. Any person liable to road duty who fails to file his written declaration with the judge of probate within the time provided by this act shall thereby become liable for the payment of the \$5.00 herein provided for. The road tax year under this act shall begin and end with the regular tax year. That is to say the road tax year shall begin on the first day of October of each year and end on the 30th day of September of each year and the road tax herein provided for shall be due on the first day of October of each year after the passage of this act and shall become delinquent on the first day of January thereafter. The first road tax under his act shall be due on the first day of October, 1919. All persons liable to said road tax who have not elected to do road duty as herein provided and who fail to pay the same to the tax collector of said county as hereinafter provided by April 1st next after it becomes delinquent shall be guilty of a misdemeanor and on conviction shall be fined not less than ten nor more than twenty-five dollars.

Section 18. No person electing to do road work under this act shall be required to work any public road which is more than four miles from his home.

Section 19. That in the event that any road hand shall remove to another precinct or part of the county, he shall be excused from working the roads in the precinct to which he has removed upon presenting a certificate from the county engineer or foreman under whom he worked, that he has worked the required number of days in his former precinct, or has paid his commutation fee, if he has not worked his full ten days, he shall in like manner be credited with the number of days already worked.

Section 20. The men who elect to do road work shall be subject to the direction of the county engineer and he may supervise their labor in person or by a foreman or overseer selected by the county engineer. A day's work under this act shall be a day of eight hours and any man electing to do road work who shall fail or refuse to perform the full eight hours of labor or who refuses to follow the instructions of the county engineer or foreman or overseer selected by the said county engineer to supervise the work, shall be excused from further labor and shall be prosecuted as other defaulters under this act.

Section 21. That the court of county commissioners of Crenshaw county shall at the time of making the annual levy of taxes for general and county purposes, levy a special tax for roads and bridges on all the taxable property of the county of one-fourth of one per centum on the assessed value of such taxable property which shall be collected as other taxes and when paid into the county treasury shall be credited to the road and bridge fund of the county.

Section 22. All funds received by the county from the hire of county convicts and all funds that may be received from the State for and on account of the hire of convicts shall be deposited to the credit of the road and bridge fund of the county and shall be used for the construction and maintenance of the public roads and bridges of the county and for no other purpose.

Section 23. All funds received by the county from license taxes on automobiles, motorcycles, motor trucks or other motor vehicles shall be paid into the road and bridge fund of the county and used for the construction

and maintenance of the public roads and bridges of the county and for no other purpose.

Section 24. That there is hereby levied an annual vehicle license tax on all vehicles in said county or that may hereafter be in said county and which are or may be owned by or in possession of citizens of said county said vehicle license tax shall be as follows; on each one-horse wagon, one dollar, on each single buggy or surry one dollar, on each two-horse wagon two dollars, on each two-horse buggy or surry two dollars. On each four-horse wagon or dray used in hauling lumber or timber using four mules or oxen fifteen dollars; on each six horse wagon or dray used in hauling lumber or logs or timber using six mules or oxen, twenty dollars.

The vehicle license tax year shall begin on the first day of October and end on the 30th day of September thereafter. The vehicle license tax herein provided for shall be due on the first day of October of each year and shall become delinquent on the first day of January thereafter. The first vehicle license tax under this act shall be due on the first day of October, 1919. If any owner of any vehicle on which a vehicle license tax is due under this act allows the same to become delinquent the tax collector shall proceed to enforce the collection of said vehicle license tax as in the case of other delinquents under the general laws of the State.

Section 25. That the tax raised by this act shall be assessed by the regular tax assessor for Crenshaw county and collected by the regular tax collector for Crenshaw county.

Section 25½. That it shall be the duty of all persons and of the managers and foreman of all firms or corporations having three or more men working for or under them, subject to road duty, to furnish a list of same and the residence of each to the tax assessor of Crenshaw county, and failing or refusing so to do within ten days after notice in writing, shall be guilty of a misdemeanor and on conviction shall be fined not less than five nor more than fifty dollars.

Section 26. It shall be the duty of the tax assessor to keep separate and well-bound volumes in which he shall list all persons who are subject to road duty under this act; said lists shall be kept in alphabetical order by beats. The tax assessor shall also list in alphabetical order by beats, the names of all persons who are subject to the vehicle license tax under this act together with a description of the vehicle or vehicles so subject. The tax assessor shall by the first of March of each year after the passage of this act furnish the county engineer a certified list of those who are subject to road duty under this act; said list to be in alphabetical order by beats.

Section 27. That the county engineer shall enter the names of all persons liable to road duty in a suitable ledger. Said ledger shall have appropriate columns for credits of money or labor.

Section 28. It shall be the duty of the tax assessor during the month of January of each year to arrange his assessment lists containing all assessments prior to January first of each year in alphabetical order by beats and he shall by February first of each year deliver the same to the tax collector of the county. It shall also be the duty of the tax assessor during the month of February of each year to arrange his assessment lists containing all assessments made after January first of each year in alphabetical order by beats and he shall deliver the same to the tax collector of the county by March first of each year.

For the performance of his duties under this section, the tax assessor shall receive the same compensation allowed him by the general law of the State for making the collectors abstract.

Section 29. It shall be the duty of the tax assessor during January of each year to inquire and ascertain the name of each person liable to road

tax who has not been assessed to same and to assess those so liable in a book to be known as the defaulters' book, and he shall also during each January inquire and ascertain the names of each person liable to the vehicle license tax who has not been assessed to the same and assess those so liable in a book to be known as the defaulters' book. For making each assessment after January first of each year the tax assessor must tax a fee of fifty cents which shall be added to the assessment and collected as and when the assessment is paid, but no person shall be liable to more than one assessor's fee.

Section 30. It shall be the duty of the tax collector of the county to keep suitable books and records and to collect all taxes and licenses assessed under the provisions of this act and to give to each person a receipt for the ~~taxes or license so paid showing when and for what purpose the same was~~ paid. The tax collector shall in person or by deputy make a demand on each person liable for tax under this act before April first of each year, but the failure to make said demand shall not relieve said person from the payment of said tax or the penalties imposed by this act. He shall make monthly settlements with the county treasurer of all moneys collected under this act and he shall before the fifteenth of April of each year make a full settlement with said county treasurer. The probate judge may employ a suitable and competent person to check the books of the assessor and collector and ascertain if all the moneys collected have been properly accounted for and turned over to the county. It shall be the duty of the tax collector to deliver to the sheriff on the first day of April of each year an alphabetical list by beats of all persons who have not paid their road tax and the sheriff shall forthwith swear out warrants against said parties and the taxes due by such parties shall be credited to the collector on his final settlement with the county as taxes in litigation. All defaulters under this act shall pay a collector's fee of fifty cents which shall be added to the assessment and collected as and when the assessment is paid, but no person shall be liable for more than one collector's fee.

Section 31. That it is hereby made the duty of the tax collector to keep an account with each precinct in the county showing the total commutation fees paid from said precinct and also the total amount paid on account of vehicle license tax from said precinct and shall furnish a statement thereof to the county engineer immediately after his final settlement with the treasurer each year.

Section 32. To the end that every precinct in the county may be assured of the construction and maintenance of its public roads and bridges, it is hereby made the duty of the court of county commissioners, under the direction and supervision of the county engineer to spend in each precinct of the county annually a sum equal to the commutation fee paid from said precinct and as much more as the condition of the treasury will permit.

Section 33. That when the citizens of any community shall raise by donation or otherwise, money or labor to be expended for construction or improving any particular road or roads it shall be the duty of the commissioners court to render such assistance as the court shall find practicable, in money or with county machinery, as deemed best, having regard for the importance of the work and the funds available for the purpose.

Section 34. That it shall be the duty of the court of county commissioners of Crenshaw county, out of the taxes raised by this act, to reserve annually thirty per centum of the total sums raised, which sum shall be set aside for the payment of any debts which may now exist or which may be created against said road and bridge fund and for no other purpose ten per centum of the total taxes raised by this act shall be set aside annually to be used for the maintenance of the graded roads of the county and for

no other purpose; sixty per centum of the total taxes raised by this act shall be used for the construction of the roads and bridges of the county.

Section 35. All fines collected under this act and all forfeitures imposed shall be paid into and become a part of the road and bridge fund.

Section 36. The judge of probate for the performance of the duties required of him under this act shall receive the same compensation as now provided and allowed him under the general laws of the State.

Section 37. The sheriff for the performance of his duties under the provisions of this act shall be entitled to the same compensation allowed to him under the general laws of the State.

Section 38. The tax assessor and collector for the performance of their duties hereunder shall receive annually one per centum of the amount collected under this act together with the fees collected from delinquents.

Section 39. If any officer or person charged with any duty or who is required to do any act under the provisions of this act fail or refuse to do said act or perform said duty he shall be guilty of a misdemeanor and on conviction shall be fined not exceeding one hundred dollars.

Section 40. That as soon as practicable the court of county commissioners shall prepare and adopt such rules and regulations not in conflict with this law, for the construction, improvement and maintenance of the roads and bridges as they shall deem most suitable for the requirements of and bring the most practical results to the county.

Section 41. That the commissioners court shall be empowered to make such rules and regulations as to road improvement not inconsistent with this act, as may be necessary to comply with any law of the State or Federal government extending State or Federal aid.

Section 42. If any section or provision of this act shall be declared void or unconstitutional it shall not effect or destroy the validity or constitutionality of any other section or provision which is not in and of itself void or unconstitutional.

Section 43. That this act shall become effective on the first day of October, 1919.

Section 44. That all laws and parts of laws, local, general and special in conflict with this act be and the same are hereby repealed.

W. H. Stoddard,
Representative for Crenshaw County.

AFFIDAVIT OF PUBLICATION.

I, C. L. Keelter, publisher of the Crenshaw County News, a newspaper published weekly at Luverne, Crenshaw County, Alabama, do solemnly swear that a copy of the above notice, as per clipping attached, was published once a week in the regular and entire issue of said newspaper, and not in any supplement thereof, for four consecutive weeks, commencing with the issue dated July 10th, 1919, and ending with the issue dated July 31st, 1919.

C. L. Keelter.

Subscribed and sworn to before me this 31st day of July, 1919.

(Seal.)

Wilkie Pope,
Notary Public

Also:

H. 775. To repeal an act entitled "An act to provide for the payment of witnesses before the grand juries and State witnesses in all criminal cases, and of the sheriff of the county of Cren-

shaw and clerks of the circuit court and county court in and for said county in criminal cases, where the State fails to convict, out of the general funds of Crenshaw county. Local Acts, 1915, page 361 approved September 10th, 1915.

With notice and proof attached hereto and exhibited as follows:

TO THE PEOPLE OF CRENSHAW COUNTY.

Take notice that at the coming session of the Legislature which convenes on the 8th day of July, 1919, a bill will be introduced for passage and enactment into law, the substance of which will be "To repeal an act entitled an act to provide for the payment of witnesses before the grand juries and State witnesses in all criminal cases, and of the sheriff of the county of Crenshaw and clerks of the circuit court and county court in and for said county in criminal cases, where the State fails to convict, out of the general funds of Crenshaw county. Local Acts 1915, page 361, approved September 10, 1915.

W. H. Stoddard,
Representative for Crenshaw County.

AFFIDAVIT OF PUBLICATION.

I, C. L. Kettler, publisher of the Crenshaw County News, a newspaper published weekly at Luverne, Crenshaw county, Alabama, do solemnly swear that a copy of the above notice, as per clipping attached, was published once a week in the regular and entire issue of said newspaper, and not in any supplement thereof, for four consecutive weeks, commencing with the issue dated July 10th, 1919, and ending with the issue dated July 31st, 1919.

Subscribed and sworn to before me this 31st day of July, 1919.

(Seal.)

C. L. Kettler.
Wilkie Pope,
Notary Public.

Also:

H. 776. To limit the number of days for which members of the court of county commissioners of Crenshaw county may be paid for services as members of said court, for mileage in going to and from said court, for their services rendered in the discharge of their duties in letting out, inspecting, and accepting, building or repairing of any county bridges of county buildings or works, and mileage necessarily traveled by them in so doing, during any one year, or part of a year; to say when this act shall go into effect; and to repeal all laws and parts of laws in conflict with the provisions of this act in so far as Crenshaw county is concerned.

With notice and proof attached hereto and exhibited as follows:

TO THE PEOPLE OF CRENSHAW COUNTY.

You will take notice that at the coming session of the Legislature, which convenes on the 8th day of July, 1919, a bill will be introduced for

passage and enactment into law, the substance of which shall be: To limit the number of days for which the members of the court of county commissioners of Crenshaw county, Alabama, may be paid for their services as members of said court, for mileage in going to and from said Court, for their services rendered in the discharge of their duties in letting out and inspecting, accepting the building of county bridges, or other work for the county, and mileage necessary traveled by the members of the court in so doing, during any one year or part thereof; to provide when this act shall become operative and to repeal all laws and parts of laws in conflict with this act.

W. H. Stoddard,
Representative for Crenshaw County.

AFFIDAVIT OF PUBLICATION.

I, C. L. Kettler, publisher of the Crenshaw County News, a newspaper published weekly at Luverne, Crenshaw county, Alabama, do solemnly swear that a copy of the above notice, as per clipping attached, was published once a week in the regular and entire issue of said newspaper, and not in any supplement thereof, for four consecutive weeks, commencing with the issue dated July 10th, 1919, and ending with the issue dated July 31st, 1919.

C. L. Kettler.

Subscribed and sworn to before me this 31st day of July, 1919.

(Seal.)

Wilkie Pope,
Notary Public.

Also:

H. 777. To provide for the more efficient construction and maintenance of the public roads and bridges of Crenshaw county, Alabama; to provide for raising revenue for the same; to levy a vehicle license tax on automobiles, motor trucks and all motor vehicles owned and operated by citizens of Crenshaw county, Alabama; to prescribe the duties of the tax assessor, and tax collector of said county under this act; to provide penalties and punishment for the violation of this act and to repeal conflicting laws.

With notice and proof attached hereto and exhibited as follows:

TO THE PEOPLE OF CRENSHAW COUNTY.

Take notice that at the coming session of the Legislature which convenes on the 8th day of July, 1919, a bill will be introduced for passage and enactment into law the substance of which shall be:

A BILL

To be entitled an act to provide for the more efficient construction and maintenance of the public roads and bridges of Crenshaw county, Alabama; to provide for the raising revenue for the same; to levy a vehicle tax in automobiles, motor trucks and all motor vehicles owned and operated by citizens of Crenshaw county, Alabama; to prescribe the duties of the tax assessor and tax collector of said county under this act; to provide penalties and punishment for the violation of this act and to repeal conflicting laws.

Be it enacted by the Legislature of Alabama:

Section 1. That there is hereby levied an annual vehicle license tax on each automobile, motor truck or other motor vehicle owned and operated in Crenshaw county, Alabama, said vehicle license tax to be as follows:

For each automobile having a rating of less than twenty-five horse power, five dollars; on each automobile having a rating of twenty-five horse power and less than thirty horse power, seven dollars and fifty cents; on automobiles having a rating of more than thirty horse power ten dollars; on each motor cycle, two dollars and fifty cents; on each motor truck, twenty dollars, said vehicle license tax when collected shall be paid into the road fund of the county and be used for the purpose of constructing and maintaining the public roads and bridges of the county and for no other purpose or purposes.

Section 2. That the taxes due hereunder shall be assessed and collected by the tax assessor and collector of Crenshaw county, Alabama, as and in the same manner as other taxes and the tax assessor and collector shall keep a record of such assessments and collections hereunder in separate records to kept by them for that purpose. For their services hereunder, the assessor and collector shall each be entitled to one per cent of the amounts assessed and collected.

Section 3. The vehicle license tax due hereunder shall become due on the first day of October of each year and shall become delinquent on the first day of January of each year.

Section 4. Any owner of an automobile or motor vehicle for taxation or who fails to pay said vehicle license tax within the time allowed by this act shall be liable for a fee as in other delinquent tax cases under the general law of the State, and said fee or fees shall be collected by the assessor and collector as in other cases under the general law of the State.

Section 5. Any person who being liable for a vehicle license tax under this act, who fails or refuses to pay said tax by the first day of April of each year after the passage of this act, shall be guilty of a misdemeanor and on conviction must be fined not less than ten dollars nor more than fifty dollars.

Section 6. This act shall become operative on the first day of October, 1919, and on the first tax due under this act shall become due on the first day of October, 1919.

Section 7. The tax collector shall make a final settlement with the county treasurer by the 15th of April of each year of the taxes collected hereunder. He shall deliver to the county engineer a certified list of all those who have failed to pay the vehicle tax under this act, by the 10th day of April of each year and the amount of such taxes shall be allowed him on final settlement as taxes in litigation.

Section 8. That all laws and parts of laws, local, general and special in conflict with this act, be and the same are hereby repealed.

W. H. Stoddard,
Representative for Crenshaw County.

AFFIDAVIT OF PUBLICATION.

I, C. L. Kettler, publisher of the Crenshaw County News, a newspaper published weekly at Luverne, Crenshaw county, Alabama, do solemnly swear that a copy of the above notice, as per clipping attached, was published once a week in the regular and entire issue of said newspaper, and not in any supplement thereof, for four consecutive weeks, commencing with the issue dated July 10th, 1919, and ending with the issue dated July 31st, 1919.

C. L. Kettler.

Subscribed and sworn to before me this 31st day of July, 1919.

(Seal.)

Wilkie Pope,
Notary Public.

Also:

H. 780. To provide for and regulate priorities of right and the order of payment of claims legally chargeable against and payable out of the fine and forfeiture fund of Dale county at present in and hereafter accruing or coming into said fund.

With notice and proof attached hereto and exhibited as follows:

NOTICE.

Is hereby given that the following will be introduced in the Legislature when they reconvene the 8th of July, 1919:

AN ACT

To provide for and regulate priorities of right and the order of payment of claims legally chargeable against and payable out of the fine and forfeiture fund of Dale county at present in and hereafter accruing or coming into said fund.

Be it enacted by the Legislature of Alabama:

1. That all moneys collected and undistributed belonging to the fine and forfeiture fund of Dale county at the date of the approval of this act shall be paid therefrom as is now directed by law.

2. That all moneys belonging to the fine and forfeiture fund of Dale county, coming into the hands of the clerk or sheriff of said county by virtue of their office as such clerk or sheriff, after the approval of this act shall be applied as follows: There shall be deducted therefrom a sum sufficient for the payment of all claims then owing to the clerk and the sheriff of said county, which at that time shall have been legally registered, if sufficient therefore; and if not sufficient therefor the same shall be applied ratably between them upon such claims so held by them; and if more than sufficient for the payment of such claims then so held by them the residue after such payment to be surrendered to the legal custodian at the time of said fine and forfeiture fund, so to apply such funds coming into the hands of either of them shall constitute in them and each of them a legal priority of right as to such fund.

3. All other claims chargeable against the fine and forfeiture fund of Dale county collected after the approval of this act shall be paid therefrom in the order of priority of the legal registration of such claims without other discrimination among persons holding claims chargeable against and payable out of said fine and forfeiture fund.

4. All claims chargeable against the fine and forfeiture fund of Dale county collected after the approval of his act shall be registered: Those not theretofore registered as is now provided by law; and those theretofore registered shall be re-registered as is provided by law for the registration of claims against said fine and forfeiture fund; and no claim shall be payable from said fine and forfeiture fund collected after the approval of this act until registered or re-registered as provided in this section.

5. All laws and parts of laws in conflict with this act are hereby repealed.

W. E. Gamble.
B. L. Andrews.

State of Alabama, }
 Dale County. }

John Q. Adams, being duly sworn, says that he is the editor and publisher of the Southern Star, a weekly newspaper published in Dale county, Alabama, and that the foregoing act has been published for four successive weeks therein as required by law.

John Q. Adams.

Sworn to and subscribed before me this 4th day of August, 1919.

Frank O. Deese,

Notary Public, Dale County, Alabama.

Also:

H. 788. To abolish the second division of the municipal court of Birmingham, Alabama.

With notice and proof attached hereto and exhibited as follows:

NOTICE.

Is hereby given that a bill will be introduced for passage in the Legislature of Alabama, at its next session, to be entitled:

An act to abolish the second division of the municipal court of Birmingham, Alabama.

The substance of said bill will be as follows:

AN ACT

To abolish the second division of the municipal court of Birmingham, Alabama.

Be it enacted by the Legislature of Alabama:

Section 1. That the second division of the municipal court of Birmingham, Alabama, as provided for and established by an act of the Legislature of Alabama, approved July 12, 1915, be and the same is hereby abolished, and discontinued.

Section 2. That the abolishment of the second division of said court will not affect the existence and operation of the remaining two divisions of said court, namely: the first and third divisions.

Section 3. That this act shall take effect on January 1, 1923, after its approval and the approval of an act by the Legislature of Alabama establishing the Jefferson county court of misdemeanors for the trial of misdemeanor cases arising in said county.

State of Alabama, }
 Jefferson County. }

Personally appeared before me, Mary Mosley, notary public in and for said State and county, J. H. F. Mosley, who deposes and says: That he is editor and manager of the Labor Advocate, a weekly newspaper published at Birmingham in said State and county, that the notice hereto attached was published in said Labor Advocate on the following dates: December 28, 1918; January 4, 11, 18, 1919.

J. H. F. Mosley.

Sworn to and subscribed before me, this 20th day of January, 1919.

Mary Mosley,

(Seal.)

Notary Public.

Also:

H. 792. To take away from all inferior courts created in lieu of justices of the peace in any one or more of the precincts of

Jefferson county, Alabama, except any such court so created for one or more of the following precincts, to-wit: 1, 2, 3, 4, 5, 7, 24, 27, 33, 35, 40 and 41, criminal and quasi-criminal jurisdiction.

With notice and proof attached hereto and exhibited as follows:

NOTICE.

Is hereby given that a bill will be introduced for passage in the Legislature of Alabama, at its next session, to be entitled:

An act to take away from all inferior courts created in lieu of justices of the peace in any one or more of the precincts of Jefferson county, Alabama, except any such court so created for one or more of the following precincts, to-wit: 1, 2, 3, 4, 5, 7, 24, 27, 33, 35, 40 and 41, criminal and quasi-criminal jurisdiction.

The substance of said bill will be as follows:

AN ACT

To take away from all inferior courts created in lieu of justices of the peace in any one or more of the precincts of Jefferson county, Alabama, except any such court so created for one or more of the following precincts, to-wit: 1, 2, 3, 4, 5, 7, 24, 27, 33, 35, 40 and 41, criminal and quasi-criminal jurisdiction.

Be it enacted by the Legislature of Alabama:

Section 1. That all criminal and quasi-criminal jurisdiction of whatever kind, whether final or for the purpose of binding over to await the action of the grand jury, is hereby taken away from inferior courts created in lieu of justices of the peace within any one or more of the precincts of Jefferson county, Alabama, except any such court so created for one or more of the following precincts, to-wit: 1, 2, 3, 4, 5, 7, 24, 27, 33, 35, 40 and 41. That judges of inferior courts created in lieu of justices of the peace, who now are or who may hereafter be elected or appointed for any one or more of the precincts of said county other than for one or more of those precincts above expressly numbered, shall have civil jurisdiction only; provided, however, that this act shall not deprive the recorder of the city of Birmingham, Alabama, of any criminal jurisdiction now exercised by them.

Section 2. That all criminal and quasi-criminal cases now pending in inferior courts created in lieu of justices of the peace within any one or more of the precincts of said county, except in any such court so created for one or more of the precincts above expressly numbered, shall be transferred for further proceedings to the Jefferson county court of misdemeanors, the same to be there disposed of as if said cases had been filed originally in said court.

Section 3. That if any section, clause or provision of this act shall be declared to be unconstitutional or held to be void, it shall not be held to affect any other section, clause or provision but the same shall remain in full force and effect.

Section 4. That all laws and parts of laws, general, special or local, in conflict with any provision of this act be and the same are hereby repealed.

Section 5. That this act shall take effect upon its approval and the approval of an act by the Legislature of Alabama establishing the Jefferson county court of misdemeanors for the trial of misdemeanor cases arising in said county.

State of Alabama, }
 Jefferson County. }

Personally appeared before me, Mary Mosley, notary public in and for said State and county, J. H. F. Mosley, who deposes and says: That he is editor and manager of the Labor Advocate, a weekly newspaper published at Birmingham in said State and county, that the notice hereto attached was published in said Labor Advocate on the following dates: December 28, 1918; January 4, 11, 18, 1919.

Sworn to and subscribed before me, this 20th day of January, 1919.

(Seal.)

J. H. F. Mosley.
 Mary Mosley,
 Notary Public.

Also:

H. 805. To better provide for the payment of State witnesses in the county of Conecuh.

With notice and proof attached hereto and exhibited as follows:

NOTICE OF LOCAL LEGISLATION.

Notice is hereby given that a bill will be introduced at the next session of the Legislature of Alabama, which convenes on the 8th day of July, 1919, in substance as follows: A bill to be entitled "An act to better provide for the payment of State witnesses in the county of Conecuh."

The State of Alabama, }
 Conecuh County. }

Before me, F. J. Dean, a notary public in and for said State and county, personally appeared G. W. Salter, Jr., who being by me first duly sworn, deposes and says that he is the editor and publisher of The Evergreen Courant, a newspaper published weekly at Evergreen in said State and county; that the above and foregoing notice was published in the said The Evergreen Courant for four consecutive weeks in the issues of June 18th, 25th, July 2nd and 9th, 1919.

G. W. Salter, Jr.,
 Editor and Publisher.

Subscribed and sworn to before me, this the 28th day of July, 1919.

F. J. Dean,
 Notary Public.

Also:

H. 822. That the county treasurer or custodian of funds be authorized and directed to transfer all monies to the credit of the special jail fund to the credit of the general fund.

With notice and proof attached hereto and exhibited as follows:

NOTICE.

Notice is hereby given that the following local bill will be introduced in the Legislature of Alabama, 1919, at the adjourned session.

A. P. Smith, Representative.

July 15, 1919.

A BILL

To be entitled an act.

Section 1. Be it enacted by the Legislature of Alabama, That the county treasurer or the custodian of the funds of Greene county, Alabama,

be and he is hereby authorized and directed to transfer all monies to the credit of the special jail fund of said county to the credit of the general fund of said county.

Section 2. That this act shall become effective immediately after its approval.

The State of Alabama, }
Greene County. }

Before the undersigned authority, this day personally appeared Jas. S. Coleman, who being first duly sworn, deposes and says: that he is the editor and owner of the Greene County Democrat, a weekly newspaper published in said Greene county, Alabama, and that the foregoing bill has been published for four consecutive weeks in said Greene County Democrat, appearing as follows: July 18th, July 25th, August 1st and August 8th, 1919.

Jas. S. Coleman,
Editor Greene Co. Democrat.

Sworn to and subscribed before me, this the 8th day of August, 1919.
(Seal) Wm. Hawkins,

Notary Public in and for Greene County, Alabama.

Also:

H. 827. To vacate the dedication of all streets, avenues, and alleys, public highways and public passage ways, into, through, over, on, or across the following described property situated in the city of Birmingham, and State of Alabama: Beginning at the southeast (SE) corner of Thirty-second (32nd) street and First (1st) avenue, north; thence running southwardly along said street four hundred and fifteen (415) feet to the common railroad right of way, that is, a line running parallel with and eighty-five (85) feet northward of the center of the Alabama Great Southern Railroad; thence eastward along said right of way about thirty-four hundred (3,400) feet to the limits of the property formerly belonging to the Elyton Land Company, that is, the east side of section thirty (30), township seventeen (17) range two (2) west; thence north along the said section line about three hundred feet more or less to a point one hundred and eighty-eight (188) feet south of the center of the east side of said section thirty (30); thence west three hundred and eighty (380) feet to the south side of said First (1st) avenue; thence westward along the said avenue about thirty-two hundred and fifteen (3,215) feet to the point of beginning; and also a right of way which lies east of Thirty-second (32nd) street, and which is more particularly described as follows, to-wit, a strip of land twenty-five hundred and ten (2,510) feet in length and eleven (11) feet in width, off of what here heretofore been known and designated as the common railroad right of way, said strip of land lying immediately along side and south of the Mary Pratt property, hereinabove described, and off of the north side of said common railroad right of way hereinabove mentioned, and more

particularly described as follows: Beginning at the southwest (SW) corner of the Mary Pratt property hereinabove described at a point on Thirty-second (32nd) street four hundred and fifteen (415) feet in a southerly direction from the junction of First (1st) avenue and Thirty-second (32nd) street; thence running in an easterly direction twenty-five hundred and ten (2,510) feet; thence at a right angle in a southerly direction eleven feet; thence in a westerly direction twenty-five hundred and ten (2,510) feet; thence in a northerly direction eleven (11) feet to the point of beginning.

With notice and proof attached hereto and exhibited as follows:

NOTICE.

Notice is hereby given that at the present session of the Legislature of the State of Alabama, application will be made for the enactment of the following bill:

An act to vacate the dedication of all streets, avenues and alleys, public highways and public passage ways, into, through, over, on or across the following described property, situated in the city of Birmingham and State of Alabama:

Beginning at the southeast (SE) corner of Thirty-second (32nd) street and First (1st) avenue, north;

Thence running southwardly along the said street four hundred and fifteen (415) feet to the common railroad right of way, that is, a line running parallel with and eighty-five (85) feet northward of the center of the Alabama Great Southern railroad;

Thence eastward along said right of way about thirty-four hundred (3400) feet to the limits of the property formerly belonging to the Elyton Land company, that is, the east side of section thirty (30), township seventeen (17), range two (2) west;

Thence north along the said section line about three hundred (300) feet, more or less, to a point one hundred and eighty-eight (188) feet south of the center of the said east side of said section thirty (30);

Thence west three hundred and eighty (380) feet to the south side of said First (1st) avenue;

Thence westward along the said avenue about thirty-two hundred and fifteen (3215) feet to the point of beginning;

And also a right of way which lies east of Thirty-second (32nd) street, and which is more particularly described as follows, to-wit: A strip of land twenty-five hundred and ten (2510) feet in length and eleven (11) feet in width, off of what has heretofore been known and designated as the common railroad right of way, said strip of land lying immediately alongside and south of the Mary Pratt property, hereinabove described, and off of the north side of said common railroad right of way hereinabove mentioned, and more particularly described as follows:

Beginning at the southwest (SW) corner of the Mary Pratt property hereinabove described at a point on Thirty-second street (32nd) street four hundred and fifteen (415) feet in a southerly direction from the junction of First (1st) avenue and Thirty-second (32nd) street;

Thence running in an easterly direction twenty-five hundred and ten (2510) feet;

Thence at a right angle in a southerly direction eleven (11) feet.

Thence in a westerly direction twenty-five hundred and ten (2510) feet.
Thence in a northerly direction eleven (11) feet to the point of beginning.

Be it enacted by the Legislature of Alabama. Section 1. That the dedication of all streets, avenues, alleys, public highways and public passage ways, into or through the following described land situated in the city of Birmingham be and the same are hereby annulled, and that all the streets, avenues, alleys, public highways and public passage ways, through the property hereinafter described shall forever cease to be public highways, and that all right of the public as a result of any dedication of streets, avenues, alleys, public highways and public passage ways, into or through said property, be and the same are hereby relinquished and abandoned. Said property is described as follows:

Beginning at the southeast (SE) corner of Thirty-second street (32nd) street and First (1st) avenue, north;

Thence running southwardly along the said street four hundred and fifteen (415) feet to the common railroad right of way, that is, a line running parallel with and eighty-five (85) feet northward of the center of the Alabama Great Southern railroad;

Thence eastward along said right of way about thirty-four hundred (3400) feet to the limits of the property formerly belonging to the Elyton Land company, that is, the east side of section thirty (30), township seventeen (17), range two (2) west;

Thence north along the said section line about three hundred (300) feet, more or less, to a point one hundred and eighty-eight (188) feet south of the center of the said east side of said section thirty (30);

Thence west three hundred and eighty (380) feet to the south side of said First (1st) avenue;

Thence westward along the said avenue about thirty-two hundred and fifteen (3215) feet to the point of beginning;

And also a right of way which lies east of Thirty-second (32nd) street, and which is more particularly described as follows, to-wit: A strip of land twenty-five hundred and ten (2510) feet in length and eleven (11) feet in width, off of what has heretofore been known and designated as the common railroad right of way, said strip of land lying immediately alongside and south of the Mary Pratt property, hereinabove described, and off of the north side of said common railroad right of way hereinabove mentioned, and more particularly described as follows:

Beginning at the southwest (SW) corner of the Mary Pratt property hereinabove described at a point on Thirty-second (32nd) street four hundred and fifteen (415) feet in a southerly direction from the junction of First (1st) avenue and Thirty-second (32nd) street;

Thence running in an easterly direction twenty-five hundred and ten (2510) feet;

Thence at a right angle in a southerly direction eleven (11) feet;

Thence in a westerly direction twenty-five hundred and ten (2510) feet;

Thence in a northerly direction eleven (11) feet to the point of beginning.

Section 2. There has been doubt and uncertainty as to what, if any, streets, avenues, alleys, public highways and public passage ways, have heretofore in any way been dedicated into or through that tract of land, set out in section 1 of this act, and it is the purpose and intention of all this bill to enact and it is hereby enacted that all streets, avenues, alleys, public highways and public passage ways which have heretofore in any manner been dedicated into or through said property, shall forever cease to be public highways, and that all rights of the public into or through said property as

the result of any dedication of streets, avenues, alleys, public highways or public passage ways, be and the same are hereby relinquished and abandoned.

State of Alabama, }
Jefferson County. }

Personally appeared before me Susan E. Wright, a notary public in said county in said State, R. A. Mullins, who being duly sworn on oath deposes and says that he is the business manager of the Birmingham Age-Herald, a newspaper published in the city of Birmingham, county of Jefferson and State of Alabama, and as such has authority to make this affidavit; that ~~attached to this affidavit~~ is a copy of an advertisement with reference to a bill to be introduced in the Legislature of Alabama to vacate certain streets, avenues, alleys, public highways, and public passage ways, into, through, over, on or across certain property situated in the city of Birmingham, Alabama; that said copy as attached to this affidavit is an exact duplicate of an advertisement which appeared in the said Birmingham Age-Herald once a week for four consecutive weeks, that the dates on which the said advertisement appeared in the said Birmingham Age-Herald were, to-wit: July 20th, July 27th, August 3rd, and August 10th, all in the year 1919.

R. A. Mullins.

Sworn to and subscribed before me this the 11th day of August, 1919.
(Seal)

Susan E. Wright,
Notary Public.

Also :

H. 832. To authorize and direct the sheriff of Marengo county to employ a janitor to keep the court house and grounds of said county in a cleanly and sanitary condition; and to authorize and direct the county depository of county funds, or other authority disbursing the funds of said county to pay the monthly salary of said janitor on warrants issued therefor by the probate judge of said county.

With notice and proof attached hereto and exhibited as follows :

NOTICE.

Notice is hereby given that the following bill will be introduced at the present session of the Alabama Legislature:

An act to authorize and direct the sheriff of Marengo county to employ a janitor to keep the courthouse and grounds of said county in a clean and sanitary condition and to authorize and direct the county depository of county funds or other authority disbursing the funds of said county to pay the monthly salary of said janitor on warrants issued therefor by the probate judge of said county.

Be it enacted by the Legislature of Alabama: That the sheriff of Marengo county be and he is hereby authorized and directed to employ a janitor for the courthouse of said county, whose duty shall be to keep the said courthouse and grounds surrounding the same in a cleanly and sanitary condition.

Be it further enacted, that the county depository of county funds of said county or other authority disbursing the funds of said county be and he is hereby authorized and directed to pay out of any funds of said county not otherwise appropriated the monthly salary of said janitor on the warrant of the probate judge to be issued monthly therefor.

State of Alabama, }
 Marengo County. }

Before me, J. J. Marion, clerk of the circuit court of Marengo county, Alabama, personally appeared R. E. Sutton, who after being duly sworn according to law, deposes and says that he is the editor and owner of the Democrat-Reporter, a weekly newspaper, published at Linden, Alabama, and he further deposes and says that the attached copy of a bill has been published in his paper for four consecutive weeks, to-wit, dated July 17th, 24th, 31st and August 7th, 1919.

R. E. Sutton.

Subscribed and sworn to before me this 9th day of August, 1919.

J. J. Marion,

Clerk of the Circuit Court.

Also:

H. 848. To detach the counties of Greene, Pickens and Sumter from the sixth judicial circuit, and attach said counties to the Marengo circuit; and fix the time for holding court in said counties, and to designate said circuit the 18th judicial circuit.

With notice and proof attached hereto and exhibited as follows:

NOTICE OF BILL TO BE INTRODUCED AT JULY SESSION OF THE ALABAMA LEGISLATURE.

Notice is hereby given that the following bill will be introduced at the July session of the Legislature of Alabama:

A BILL

To be entitled an act to detach the counties of Greene, Pickens and Sumter from the sixth judicial circuit and attach said counties to the Marengo circuit, and to fix the time for holding court in said counties, and to designate said circuit the 18th judicial circuit.

Be it enacted by the Legislature of Alabama:

Section 1. That the counties of Greene, Pickens and Sumter be and they hereby are, detached from the sixth judicial circuit and attached to the Marengo circuit.

Section 2. That circuit court shall be held in said counties at the times now fixed by law, and at such other times as the judge of said circuit or the chief justice of the supreme court may designate by order to be spread on the minutes of the circuit court.

Section 3. Said circuit shall be designated the 18th judicial circuit of Alabama.

J. F. Aldridge.

The State of Alabama, }
 Greene County. }

Before me, J. F. Aldridge, a notary public in and for said State and county, personally appeared James S. Coleman, who being by me first duly sworn deposes and says as follows: That he is the editor of Greene County Democrat, a weekly newspaper published at Eutaw, Greene county, Alabama; that the attached notice of a bill proposed to be introduced in the Legislature of Alabama, was given by advertisement in said newspaper for four consecutive weeks, the dates of the publications containing said notice

being as follows: June 20th, 1919; June 27th, 1919; July 4th, 1919 and July 11th, 1919. That the attached notice is the exact notice which was published in said paper for said four consecutive weeks as above set forth.

Jas. S. Coleman,

Editor Greene County Democrat.

Sworn to and subscribed before me on this 16th day of July, 1919.

J. F. Aldridge,

Notary Public, Greene County, Alabama.

NOTICE.

Notice is hereby given as provided by law that the following bill will be introduced in the Legislature of Alabama, viz.:

A BILL

To be entitled an act to detach the counties of Greene, Pickens and Sumter from the sixth judicial circuit and attach said counties to the Marengo circuit, and to fix the time for holding court in said counties, and to designate said circuit the 18th judicial circuit.

Be it enacted by the Legislature of Alabama:

Section 1. That the counties of Greene, Pickens and Sumter be and they hereby are, detached from the sixth judicial circuit and attached to the Marengo circuit.

Section 2. That circuit court shall be held in said counties at the times now fixed by law, and at such other times as the judge of said circuit or the chief justice of the supreme court may designate by order to be spread on the minutes of the circuit court.

Section 3. Said circuit shall be designated the 18th judicial circuit of Alabama.

The State of Alabama, }
Sumter County. }

Before me, W. W. Patton, a notary public in and for said State and county, personally came W. H. Lawrence, who being first duly sworn deposes and says: That he is the editor of Our Southern Home, a weekly newspaper published at Livingston, in Sumter county, Alabama: that the attached notice of a bill proposed to be introduced in the Legislature of Alabama, was given by advertisement in said newspaper for four consecutive weeks, the dates of the publications containing said notices being as follows, to-wit: June 11th, 18th, and 25th and July 2d, 1919. That the attached notice is the exact notice which was published in said paper for said four consecutive weeks as above set forth.

W. H. Lawrence.

Sworn to and subscribed before me this the 9th day of August, 1919.

W. W. Patton,

Notary Public.

"EXHIBIT A"

A BILL

To be entitled an act to detach the counties of Greene, Pickens and Sumter from the sixth judicial circuit and attach said counties to the Marengo circuit, and to fix the time for holding court in said counties, and to designate said circuit the 18th judicial circuit.

Be it enacted by the Legislature of Alabama:

Section 1. That the counties of Greene, Pickens and Sumter be and they hereby are, detached from the sixth judicial circuit and attached to the Marengo circuit.

Section 2. That circuit court shall be held in said counties at the times now fixed by law, and at such other times as the judge of said circuit or the chief justice of the supreme court may designate by order to be spread on the minutes of the circuit court.

Section 3. Said circuit shall be designated the 18th judicial circuit of Alabama.

The above is a copy of a bill which will be introduced in the Legislature of Alabama at its present (1919) session.

State of Alabama, }
Marengo County. }

Before me, Benj. F. Elmore, a notary public, in and for said county in said State, personally appeared E. S. Cornish, who being duly sworn, doth depose and say that he is the editor and publisher of the Demopolis Times, a newspaper published weekly in the city of Demopolis, Marengo county, Alabama; that the notice hereto attached and marked Exhibit A appeared and was published in the Demopolis Times on, to-wit: June 12th, 1919; June 19th, 1919; June 26th, 1919; and July 3rd, 1919.

E. S. Cornish.

Sworn to and subscribed to before me on this the 24th day of July, 1919.
(Seal)

Benj. F. Elmore,
Notary Public.

My commission expires on June 13, 1920.

A BILL

LEGAL NOTICE.

Notice is hereby given that the following bill will be introduced at the July session of the Legislature of Alabama, viz.:

To be entitled an act to detach the counties of Greene, Pickens and Sumter from the sixth judicial circuit and attach said counties to the Marengo circuit, and to fix the time for holding court in said counties, and to designate said circuit the 18th judicial circuit.

Be it enacted by the Legislature of Alabama:

Section 1. That the counties of Greene, Pickens and Sumter be and they hereby are, detached from the sixth judicial circuit and attached to the Marengo circuit.

Section 2. That circuit court shall be held in said counties at the times now fixed by law, and at such other times as the judge of said circuit or the chief justice of the supreme court may designate by order to be spread on the minutes of the circuit court.

Section 3. Said circuit shall be designated the 18th judicial circuit of Alabama.

The State of Alabama, }
Pickens County. }

Before me, a notary public in and for said State and county, personally appeared Ben I. Rapport, who being by me first duly sworn, deposes and says: That he is the editor of the Pickens County Herald and West Alabamian, a weekly newspaper published at Carrollton, Pickens county, Alabama; that the attached notice of a bill proposed to be introduced in the Legislature of Alabama, was given by advertisement in said newspaper for four consecutive weeks, the dates of the publications containing said notices being as follows, to-wit: June 26th, 1919; July 3, 10, 17, 1919. That the

attached notice is the exact notice which was published in said paper for said four consecutive weeks as above set forth.

Ben I. Rapport,
Editor Pickens County Herald and West Alabamian.
Sworn to and subscribed before me this the 31st day of July, 1919.
D. D. Patton,
Notary Public.

Also:

H. 851. To dispose of the fine and forfeiture fund in Conecuh county, Alabama, and to provide for the payment of all claims which are by law a charge against said fund.

With notice and proof attached hereto and exhibited as follows:

NOTICE.

Is hereby given that application will be made to the 1919 session of the Legislature of Alabama, for the passage of an act in substance as follows: To dispose of the fine and forfeiture fund in Conecuh county, Alabama, and to provide for the payment of all claims which are by law a charge against said fund.

The State of Alabama, }
Conecuh County. }

Before me, F. J. Dean, a notary public in and for said State and county, personally appeared G. W. Salter, Jr., who being by me first duly sworn, deposes and says that he is the editor and publisher of the Evergreen Courant, a newspaper published weekly at Evergreen in said State and county; that the above and foregoing notice was published in the said The Evergreen Courant for four consecutive weeks in the issues of July 24th, 31st, August 6th, and 13th, 1919.

G. W. Salter, Jr.,
Editor and Publisher.

Subscribed and sworn to before me, this the 16th day of August, 1919.

F. J. Dean,
Notary Public.

Also:

H. 852. To authorize the commissioners' court of Conecuh county, Alabama, to pay out of the general fund of said county to the tax assessor of said county, the sum of six hundred dollars per annum for extra assistance in his said office.

With notice and proof attached hereto and exhibited as follows:

NOTICE OF LOCAL LEGISLATION.

Notice is hereby given of the intention to apply to the Legislature of Alabama, at its session to be assembled July 8th, 1919, for the passage of an act in substance as follows: To authorize the commissioners court of Conecuh county, Alabama, to pay out of the general fund of said county to the tax assessor of said county the sum of six hundred dollars per annum for extra assistance in his said office.

The State of Alabama, }
Conecuh County. }

Before me, F. J. Dean, a notary public in and for said State and county, personally appeared Geo. W. Salter, Jr., who, being by me first duly sworn,

deposes and says that he is the editor and publisher of the Evergreen Courant, a newspaper published weekly at Evergreen in said State and county; that the above and foregoing notice was published in the said the Evergreen Courant for four consecutive weeks in the issues of July 23rd and 30th; August 6th and 13th, 1919.

Geo. W. Salter, Jr.,
Editor and Publisher.

Subscribed and sworn to before me, this the 16th day of August, 1919.

F. J. Dean,
Notary Public, Conecuh County, Alabama.

Also:

H. 864. To create the office of county treasurer for Crenshaw county, Alabama; to provide for his election and the filling of vacancies; to provide for his appointment by the governor; to prescribe his duties and fix his compensation; to fix the date that this act shall become operative, and to repeal conflicting laws.

With notice and proof attached hereto and exhibited as follows:

TO THE PEOPLE OF CRENSHAW COUNTY.

You will take notice that at the coming session of the Legislature, which convenes on the 8th day of July, 1919, a bill will be introduced for passage and enactment into law, the substance of which shall be "To create the office of county treasurer of Crenshaw county, Alabama, to define his duties; to fix his compensation and term of office. To provide for the appointment of a treasurer for said county by the governor of Alabama pending his election by the people of said county; to provide for the transfer of the books and records pertaining to said office and for the transfer of all funds belonging to the county to said county treasurer and to provide when this act shall take effect and to repeal all conflicting laws.

W. H. Stoddard,
Representative for Crenshaw County.

AFFIDAVIT OF PUBLICATION.

I, C. L. Kettler, publisher of the Crenshaw County News, a newspaper published weekly at Luverne, Crenshaw county, Ala., do solemnly swear that a copy of the above notice, as per clipping attached, was published once a week in the regular and entire issue of said newspaper, and not in any supplement thereof, for four consecutive weeks, commencing with the issue dated July 10th, 1919, and ending with the issue dated July 31st, 1919.

C. L. Kettler.

Subscribed and sworn to before me this 31st day of July, 1919.

Wilkie Pope,
Notary Public.

Also:

H. 865. To regulate the fine and forfeiture fund of Crenshaw county.

With notice and proof attached hereto and exhibited as follows:

TO THE PEOPLE OF CRENSHAW COUTY.

Take notice that at the coming session of the Legislature which convenes on the 8th day of July, 1919, a bill will be introduced for passage and

enactment into law, the substance of which shall be, To regulate the fine and forfeiture fund of Crenshaw county, Alabama; to make an appropriation of two thousand dollars per annum out of the general fund of the county to be applied to the payment of the claims against said fund and to prescribe the duties of the county treasurer under this act.

W. H. Stoddard,
Representative for Crenshaw County.

AFFIDAVIT OF PUBLICATION.

I, C. L. Kettler, publisher of the Crenshaw County News, a newspaper published weekly at Luverne, Crenshaw county, Ala., do solemnly swear that a copy of the above notice, as per clipping attached, was published once a week, in the regular and entire issue of said newspaper, and not in any supplement thereof, for four consecutive weeks, commencing with the issue dated July 10th, 1919, and ending with the issue dated July 31st, 1919.

C. L. Kettler.
Subscribed and sworn to before me this 31st day of July, 1919.
(Seal) Wilkie Pope,
Notary Public.

Also:

H. 866. To provide for the election of members of the commissioners court of Crenshaw county, and to fix their term of office.

With notice and proof attached hereto and exhibited as follows:

TO THE PEOPLE OF CRENSHAW COUNTY.

Take notice that at the coming session of the Legislature which convenes on the 8th day of July, 1919, a bill will be introduced for passage and enactment into law, the substance of which shall be, To provide that at the next election of members of the commissioners court of Crenshaw county, Alabama, the members of the second district and the fourth district of said county shall be elected for two years and the members of the first district and the third district shall be elected for four years; that thereafter the members shall be elected for four years. The purpose of the bill, being to retain two experienced commissioners on the court at all times, and avoid electing all members of the court at the same time.

W. H. Stoddard,
Representative for Crenshaw County.

AFFIDAVIT OF PUBLICATION.

I, C. L. Kettler, publisher of the Crenshaw County News, a newspaper published weekly at Luverne, Crenshaw county, Ala., do solemnly swear that a copy of the above notice, as per clipping attached, was published once a week, in the regular and entire issue of said newspaper, and not in any supplement thereof, for four consecutive weeks, commencing with the issue dated July 10th, 1919, and ending with the issue dated July 31st, 1919.

C. L. Kettler.
Subscribed and sworn to before me this 31st day of July, 1919.
(Seal) Wilkie Pope,
Notary Public.

Also:

H. 323. To provide for the establishment, discontinuance, construction, use, working and maintenance of the public roads and bridges of Lamar county, Alabama; to define the duties and powers of the court of county commissioners of Lamar county with regard to same, and to fix penalties for violation of the rules and regulations of the public road law of Lamar county and the State of Alabama.

With notice and proof attached hereto and exhibited as follows:

NOTICE.

The State of Alabama, }
Lamar County. }

Notice is hereby given that a bill will be introduced at the 1919 session of the Legislature of Alabama to provide for the establishment, discontinuance, construction, use, working and maintenance of the public roads and bridges. To define the duties and powers of the court of county commissioners of Lamar county with regard to same, and to fix penalties for the violation of the rules and regulations of the public road law of Lamar county, and State of Alabama. Notice is further given of the intention of the undersigned to ask the said Legislature to pass said bill.

This January 14, 1919.

A. U. Hollis.

The State of Alabama, }
Lamar County. }

Before me, J. T. Maddox, judge of probate in and for the above named State and county this day personally appeared C. S. McDougal, who being by me first duly sworn, deposes and says that he is editor and publisher of the Lamar Democrat, a newspaper, published in Vernon, Lamar county, Alabama; affiant further deposes and says that the above notice has been published in said newspaper once a week for four consecutive weeks, before this date, it having been published in the issues of the 15th, 22th and 29th of January, 1919, and 5th of February, 1919.

C. S. McDougal,

Editor and Publisher of the Lamar Democrat.

Sworn to and subscribed this 5th day of February, 1919.

J. T. Maddox,
Judge of Probate.

Also:

H. 875. To authorize and empower the county of Marengo to issue its bonds, bearing interest at the rate of six per centum per annum, for the purpose of refunding its indebtedness, existing at the date of the approval of this act; to sell the same at not less than their face value; to regulate their issuance and sale, and to repeal all laws in conflict with this act, in so far as the said county is concerned.

With notice and proof attached hereto and exhibited as follows:

NOTICE.

A bill will be introduced in the Legislature of Alabama when it reconvenes in July, 1919, to authorize the county of Marengo to issue bonds of

said county for the purpose of refunding the indebtedness of said county, existing at the date of the approval of the act, to bear interest at the rate of six per centum per annum, and providing that the same shall not be sold or otherwise disposed of for less than their face values.

The State of Alabama, }
Marengo County. }

Before me, Geo. O. Miller, a notary public in and for said county and State, personally appeared R. E. Sutton, who being by me first duly sworn, deposes and says as follows:

First, that he is now and has been for more than six months last past the publisher of the Democrat-Reporter, a newspaper published at Linden, in Marengo county, Alabama.

Second, that the notice hereto attached and which is hereby referred to and made a part of this affidavit was published in said newspaper in its weekly issues of June 26, 1919; July 3, 1919; July 10, 1919, and July 17, 1919.

R. E. Sutton.

Sworn to and subscribed before me, this the 16th day of August, 1919.

Geo. O. Miller,
Notary Public.

And sends same herewith to the Senate.

Fred H. Gormley,
Clerk.

HOUSE MESSAGE.

The House bills in the foregoing House message were severally read once and referred to appropriate standing committees as follows:

H. 634, H. 167, H. 786, H. 848, H. 832. To the Committee on Judiciary.

H. 188, H. 775, H. 776, H. 777, H. 788, H. 792, H. 805, H. 852, H. 864, H. 865, H. 866. To the Committee on Local Legislation.

H. 270, H. 481, H. 867, H. 880, H. 761, H. 323. To the Committee on Public Roads and Highways.

H. 835, H. 646, H. 693, H. 827. To the Committee on Municipalities and Municipal Organizations.

H. 667, H. 730, H. 780, H. 822, H. 851, H. 875. To the Committee on Revision of Laws.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has passed the following Senate bills:

S. 448. To create a county highway commission for Cherokee county, Alabama, to be known as the Cherokee county highway commission, and to provide for the appointment thereof by the governor; to invest it with full, complete and unlimited jurisdiction over the public roads, bridges and ferries in Cherokee county; to prescribe and define its powers and duties as such highway commission, and to repeal all laws and parts of laws in conflict

therewith. To abolish free labor on the public roads in Cherokee county, and in lieu thereof, assess public road dues on those required to perform free labor on the public roads. To authorize the commission to take charge of all the public road tools and machinery belonging to the county, and to receive all the funds now provided by the county for the use of the public roads, bridges and ferries therein and in addition thereto, to levy and collect special privilege license taxes for the construction and maintenance of the public roads, bridges and ferries in the county. To authorize and empower the commission to exercise all the legislative, judicial and executive authority over the public roads, bridges and ferries conferred by law on the court of county commissioners. To fix penalties for the violations of any of the provisions of this act, and for the violations of any of the rules, or legislative acts of the commission.

S. 99. To provide for the payment and retirement of claims against the fine and forfeiture fund in counties having a population of two hundred thousand or more according to the last or any subsequent Federal census.

S. 100. To provide for the payment of fees, charges and commissions of county officers, and fines and forfeitures into the general fund of the county, in counties having a population of two hundred thousand or more according to the last or any subsequent Federal census.

S. 356. To make the clerk of the circuit court of Cullman county, Alabama, ex-officio clerk of the county court of said county and to define his duties and to provide for his fees and compensation.

S. 300. To prescribe the maximum limit for the principal of unpaid outstanding indebtedness against Henry county, Alabama, not to exceed at any time.

S. 298. To further provide for improvement and maintenance of the public roads and bridges of Henry county, Alabama, by authorizing the court of county commissioners thereof, to fix and provide payment of a per capita road tax in lieu of road and bridge service, and levy and collect a vehicle tax and to provide penalty for violations of and failures to comply with provisions created under authority of this act.

S. 238. To provide for and regulate the use of grand and petit juries for the criminal divisions of all circuit courts of this State, holding at the county site, in all circuits which now are or may hereafter be composed of only one county and in which there are now or may hereafter be provided more than three judges, independent of and separate and apart from the juries for the other divisions of such courts, and to regulate the transfer of

juries from civil to criminal divisions thereof, and from criminal to civil divisions thereof.

S. 459. To alter or re-arrange the boundary lines of the city of Fairfield, Alabama.

S. 458. To alter or re-arrange the boundary lines of the city of Birmingham, Alabama, so as to exclude from the city of Birmingham certain territory now included in the corporate limits of said city of Birmingham.

S. 438. To authorize and direct the board of revenue of Jefferson county, Alabama, to cause to be paid out of the county treasury of Jefferson county, Alabama, stenographic fees incurred by the recess committee having under consideration local legislation for Jefferson county, Alabama.

S. 423. To amend an act entitled an act "To create the office of assistant clerk of the inferior criminal court of Mobile county, prescribe his or her duties, fix his or her salary and provide for the method of selection for said office," approved February 15th, 1919.

S. 310. To fix the salary of the judge of probate of Montgomery county, Alabama, and allowance for clerical help and other expenses in said office, and to provide for payment thereof.

S. 412. To amend section 4 of 'An act to fix the compensation of circuit judges, circuit solicitors, and assistant solicitors in all circuits of the State of Alabama which circuits are composed of only one county and having two or more judges, or which circuits may hereafter have two or more judges, and to provide that a portion of such salaries be paid out of the county treasury of the counties constituting the respective circuits.

S. 434. To establish a board of revenue for Russell county, to provide for the appointment and election of the members thereof and prescribe their duties and powers, to provide for a president of said board and fix his duties and powers; and fix their compensation; to divide the county of Russell into five (5) boards of revenue districts, and abolish the court of county commissioners, and to repeal all conflicting laws general, local and special.

S. 231. To provide for a judge of the county court, fix his compensation, provide for a clerk of such court and fix his compensation, and also fix the compensation of the sheriff for services in such court in all counties having a population of more than 37,900 and less than 38,000 according to the Federal census of 1910 and to provide for the payment of the same.

S. 408. To amend section 13 of an act entitled an act to provide for the better construction, repairing, working, and

maintaining of public roads and bridges in Talladega county, Alabama, approved March 15, 1911, and to amend said section 13 of said act as amended by act of the Legislature approved July 17, 1915, so as to make the same read as follows, to-wit:

S. 239. To amend section ten (10) of an act approved September 25, 1915, and entitled, "An act to provide for the appointment of an official court reporter by each circuit judge in Alabama; to fix their compensation, define their duties and provide for special reporters in certain cases."

S. 465. To amend section 4 of an act entitled, "An act for better construction, repairing, working and maintaining of the public roads and bridges in Sumter county," approved September 22nd, 1915.

And has amended as therein shown and as amended has passed:

S. 381. For the relief of Annie B. Moore.

S. 443. To amend section 2 and 3 of an act entitled, "An act to establish a board of revenue for Shelby county, and to abolish the court of county commissioners thereof," passed at the session of 1911, being in Local Acts of Alabama, page 154, said amendment making the president and members of said board elective by the qualified voters of said county, and fixing the term of office of said president and members of said board and the time of their election and providing that in case of a vacancy in the office of president or a member of said board, the vacancy shall be filled by election by a majority of the members of the board, for the unexpired term; and providing further that the president and members of the board now holding office shall hold their said office until their successors are elected and qualified under the provisions of this act.

And returns same herewith to the Senate.

Fred H. Gormley,
Clerk.

HOUSE MESSAGE.

On motion of Mr. West the Senate concurred in the following amendment by the House to Senate bill No. 381, the title of which is set out in the foregoing message from the House, to-wit:

Amend by inserting after the word "by" in the enacting clause the following, "the Legislature of."

Yeas, 20; nays, 0.

Yeas:

Messrs:

Acker

Baker

Beale

Bedsole

Briscoe

Brown

Butler

Carmichael

Craft
Griffith
Huddleston

Leith
Miller
McDowell

Phillips
Prestwood
Rogers (Lauderdale)

Rogers (Sumter)
Smith (Lawrence)
West

—20

Nays:—None.

HOUSE MESSAGE.

On motion of Mr. Harper, the Senate non-concurred in the following amendment by the House to Senate bill No. 443, the title of which is set out in the foregoing message from the House, to-wit:

Amend Senate bill 443 as follows: Amend the caption of the bill by striking out the following words therein, viz: "The vacancy shall be filled by election by a majority of the board for the unexpired term."

Amend section one of the said Senate bill 443 by striking out of the same the following words, to-wit: "and in case of a vacancy in the office of president or a member of the board, it shall be filled by election by a majority of the members of the board for the unexpired term."

And requests a Committee of Conference, which motion prevailed, and pursuant to such request, the President and presiding officer of the Senate appointed as conferees on the part of the Senate, Messrs. Harper and Acker.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has concurred in and adopted the Senate amendment to the bill:

H. 687. To conserve and save from depletion the public oyster reefs of Alabama and to further regulate the taking of oysters from the public reefs of the State, and for the protection of and extension of such reefs, and the development of the oyster industry, to declare such oysters the property of the State and to prescribe the condition under which such title may be divested and such oysters become articles of commerce, to provide for the payment of a license and tax by those catching, selling or transporting the same, the rules of evidence on the trials of those violating the provisions of this act, who may try such cases, provide penalties for the violation of this act, and that all expenses incurred in carrying the provisions of same into effect shall be paid out of the oyster fund.

Fred H. Gormley,
Clerk.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has passed the following joint resolution:

By Mr. Dickson:

H. J. R. 182. Be it resolved by the House, the Senate concurring, That the Senate be requested to return to the House, Senate bills No. 458 and 459 for further consideration by the House.

And sends same to the Senate.

Fred H. Gormley,
Clerk.

HOUSE MESSAGE.

On motion of Mr. Carmichael, the Senate concurred in and adopted H. J. R. 182, set out in the foregoing message from the House, and the Secretary was directed to return to the House said bills, S. 458 and S. 459, as requested in said resolution.

BILLS ON THIRD READING RESUMED.

The bill:

S. 394. For the relief of T. H. Pearson.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 22; nays, 0.

Yeas:

Messrs:

Acker	Butler	Kelly	Prestwood
Baker	Carlton	Moore	Smith (Coosa)
Beale	Ellis	Morris	Smith (Lawrence)
Bedsole	Evins	McDowell	Tally
Briscoe	Griffith	Phillips	West
Brown	Huddleston		

—22

Nays:—None.

The bill:

S. 511. To amend and consolidate sections 54, 55, 56, 57 and 58, of the Code, and the act of April 7, 1911, and the act of March 9, 1915, all relating to the "canebrake agricultural experiment station" at Uniontown, Alabama.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 19; nays, 0.

Yeas:

Messrs:

Acker	Bedsole	Espy	Huddleston
Baker	Carmichael	Griffith	Moore
Beale	Cowan	Harper	McDowell

Phillips	Sims	Smith (Lawrence)	West
Rogers (Lauderdale)	Smith (Coosa)	Tally	

—19

Nays:—None.

The bill:

H. 649. To provide for service by the sheriff and his deputies of criminal processes in State cases in all counties of the State of Alabama which have a population of one hundred and fifty thousand and more, according to the last or any subsequent **Federal census**, and wherein the sheriff of such counties is upon a salary basis, and to prohibit the service of such process other than herein designated, except processes other than warrants of arrest issued by justices of the peace.

Was read a third time at length and passed.

Yeas, 23; nays, 0.

Yeas:

Messrs:

Acker	Cowan	Moore	Sims
Baker	Espy	Morris	Smith (Coosa)
Beale	Griffith	McDowell	Smith (Lawrence)
Bedsole	Huddleston	Phillips	Tally
Briscoe	Leith	Prestwood	West
Carmichael	Miller	Rogers (Sumter)	

—23

Nays:—None.

The bill:

S. 543. To authorize and empower boards of revenue in counties having a population of not less than 82,000 and not more than 100,000 according to the latest Federal census, to expend county funds not exceeding \$2,500 per annum for county purposes not otherwise provided for by law.

Was read a third time at length and passed.

Yeas, 23; nays, 0.

Yeas:

Messrs:

Acker	Carlton	Miller	Sims
Baker	Carmichael	Moore	Smith (Coosa)
Beale	Ellis	McDowell	Smith (Lawrence)
Bedsole	Evins	Phillips	Tally
Brown	Griffith	Prestwood	West
Butler	Huddleston	Rogers (Sumter)	

—23

Nays:—None.

The bill:

S. 232. To fix the amount of ex-officio fees of clerks of the circuit court in all counties having a population of more than

37,900 and less than 38,000 according to the 1916 Federal census where the assessed value of real and personal property in such counties exceeds the sum of ten million dollars and to provide for the payment of the same.

Was taken up.

Mr. Sims offered the following amendment to said bill:

Amend caption of bill by inserting after words: "1910 Federal census" the words "or any subsequent census."

Amend bill by inserting after words "1910 Federal census" where they appear in the bill, the words: "or any subsequent census."

And said amendment was adopted.

Yeas, 24; nays, 0.

Yeas:

Messrs:

Acker	Cowan	Leith	Rogers (Lauderdale)
Baker	Craft	Miller	Sims
Beale	Espy	Moore	Smith (Coosa)
Bedsole	Griffith	Morris	Smith (Lawrence)
Brown	Huddleston	McDowell	Tally
Carmichael	Kelly	Prestwood	West

—24

Nays:—None.

And the bill, as thus amended, was read a third time at length and passed.

Yeas, 24; nays, 0.

Yeas:

Messrs:

Acker	Cowan	Leith	Rogers (Lauderdale)
Baker	Craft	Miller	Sims
Beale	Espy	Moore	Smith (Coosa)
Bedsole	Gunter	Morris	Smith (Lawrence)
Butler	Huddleston	McDowell	Tally
Carmichael	Kelly	Prestwood	West

—24

Nays:—None.

The bill:

S. 541. To divide the county of Marengo into four commissioners court districts; to provide for the election of one qualified elector residing in said district as county commissioner from said district, by the qualified electors of the entire county of Marengo.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 20; nays, 0.

Yeas:

Messrs:

Acker	Carmichael	Miller	Sims
Baker	Craft	Moore	Smith (Coosa)
Beale	Espy	Phillips	Smith (Lawrence)
Bedsole	Griffith	Prestwood	Tally
Butler	Huddleston	Rogers (Lauderdale)	West

—20

Nays:—None.

The bill:

H. 756. To ratify, legalize and confirm, all grants, rights, privileges, contracts, bonds, conveyances, sales, leases, rentals, purchases, undertakings, agreements, or payments in relation to any United States military camp, remount station, base hospital, aviation field or depot, heretofore made or attempted to be made by or for the use of or benefit of all cities in Alabama which now have a population of as much as twenty-five thousand, and less than fifty thousand people according to the last Federal census; to ratify, legalize and confirm all purchases or rentals of real estate or other property, and all contracts or agreements to purchase or rent, whether within or without the corporate limits of such city; to authorize such city to retain, maintain, sell, lease or convey such property; to authorize and legalize the payment of expenses, charges, costs, court costs made or to be made therein or in relation thereto; to extend the police jurisdiction of such city over said real estate to the extent that such real estate lies in the same county as such city.

Was taken up.

The following substitute offered by the Committee on Judiciary for said bill, to-wit:

A BILL

To be entitled an act to authorize cities of Alabama which may have as many as twenty-five thousand and less than fifty thousand of inhabitants according to the last Federal census, or which may hereafter have such population according to any Federal census hereafter taken, to ratify, confirm and legalize grants, rights, contracts, agreements, undertakings and payments having relation to the military operations of the United States, whether the property involved, either real or personal, is situated within or without the limits of such cities; and to deal with, dispose of, conserve, manage and preserve such property.

Be it enacted by the Legislature of Alabama:

Section 1. That any or all grants, rights, contracts, agreements, undertakings and payments having relation to the mili-

tary operations of the United States, and made or attempted to be made by or on behalf of any city of Alabama which has as many as twenty-five thousand and less than fifty thousand of population according to the last Federal census, or which may hereafter have such population according to any Federal census hereafter taken, whether the property involved, either real or personal, is situated within or without the limits of such city, may be ratified, confirmed and legalized in the following manner: By ordinance regularly introduced which shall indicate what grants, rights, contracts, agreements, undertakings and payments are proposed to be ratified and confirmed, which ordinance shall not be finally adopted until and unless such ordinance or the substance thereof shall have been advertised by at least one insertion in a newspaper published in such city, said advertisement to state at what regular meeting of the governing body of such city such ordinance will be considered for final passage, which meeting shall not be less than forty (40) days after the appearance of such advertisement; at such meeting, or at any meeting to which said matter may be passed, if a majority of the entire board of commissioners or board of aldermen of such city vote in favor of the adoption of such ordinance, the same shall stand adopted, otherwise it shall fail of passage.

Section 2. That any or all property, whether real or personal, and whether situated within or without the limits of such cities, which may have been or may be the subject of any such contract, grant, right, agreement, undertaking or payment, made or attempted to be made by or on behalf of any such city with relation to the military operations of the United States, may, after ratification and confirmation thereof as herein provided, be dealt with, disposed of, conserved, managed and preserved by such city as is other property of such city; provided, that for the period that any interest in any such property may remain in or be retained by such city, the police jurisdiction of such city is hereby extended to include such property.

Was adopted.

Yeas, 24; nays, 0.

Yeas:

Messrs:

Baker	Ellis	Miller	Rogers (Sumter)
Beale	Espy	Morris	Sims
Bedsole	Evins	McDowell	Smith (Coosa)
Carlton	Günter	Phillips	Smith (Lawrence)
Carmichael	Harper	Prestwood	Tally
Craft	Kelly	Rogers (Lauderdale)	West

—24

Nays:—None.

And the bill, as thus amended, was read a third time at length and passed.

Yeas, 26; nays, 0.

Yeas:

Messrs:

Baker	Espy	Moore	Rogers (Sumter)
Beale	Evins	Morris	Sims
Carlton	Gunter	McDowell	Smith (Coosa)
Carmichael	Harper	Phillips	Smith (Lawrence)
Cowan	Huddleston	Prestwood	Tally
Craft	Kelly	Rogers (Lauderdale)	West
Ellis	Miller		

—26

Nays:—None.

The bill:

H. 208. To amend an act approved September 25, 1915, entitled, "An act to provide for the appointment of an official court reporter by each circuit judge in Alabama; to fix their compensation, define their duties and provide for special reporters in certain cases."

Was read a third time at length and passed.

Yeas, 21; nays, 2.

Yeas:

Messrs:

Acker	Craft	Kelly	Sims
Beale	Ellis	Leith	Smith (Coosa)
Bedsole	Espy	Miller	Smith (Lawrence)
Briscoe	Gunter	McDowell	Tally
Carlton	Harper	Rogers (Lauderdale)	West
Carmichael			

—21

Nays:

Messrs:

Huddleston	Morris
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—2

SPECIAL, PARAMOUNT AND CONTINUING ORDER SET.

On motion of Mr. Brown, the bill:

S. 306. To define optometry; to provide for the regulation thereof; to provide for the examination of applicants to practice optometry in Alabama; to provide for the issuing of licenses and certificates and the registration and display thereof; to provide for reports by probate judges of said registrations; to provide for the revoking or refusing to issue said licenses and certificates; to provide for a State board of opetometry; to provide for the appointment of members thereof, and prescribe their duties, powers, qualifications, terms of office and compensation; to provide for the disposition of fees collected by said board; to provide fees and funds for enforcing said act; to provide for

enforcing said act; to allow the board to enter into reciprocity agreements with like boards of other states; to provide penalties and punishment for violations of the provisions of said act; and to repeal all general and local laws in conflict with said act."

Was made a special, paramount and continuing order for the 42nd legislative day.

RESOLUTION.

Mr. Huddleston offered the following Senate resolution:

S. R. 123. Resolved by the Senate, That the compensation of the Doorkeeper and Assistant Doorkeeper of the Senate Gallery be fixed at \$4 per day and the Secretary of the Senate is hereby directed to issue certificates to them accordingly.

Which was read and referred to the Standing Committee on Finance and Taxation.

BILLS ON THIRD READING RESUMED.

The bill:

S. 523. To authorize divorce for abandonment whenever a party, who has deserted his or her consort for more than ten months, fails to return to the performance of his or her marital obligations within sixty days after notice.

Was taken up.

Mr. Prestwood offered the following amendment to said bill, to-wit:

Amend said bill by striking out the word "may" on line six of section 1 and inserting in lieu thereof the word "must" and by inserting after the "party" on line 7 of section 1, the following: "by the sheriff of the county in which such deserting party resides if such party resides in the State of Alabama, and his or her place of residence can be ascertained, and if such deserting party is not residing within the State of Alabama, or his or her place of residence cannot be ascertained, such notice shall be given" and by striking out on lines 9, 10, 11 and 12 of section 1, the following: "and the receipt for such letter shall be sufficient proof of such notice, and in the absence of the return of such receipt to the party sending such notice the said notice shall be published" and by inserting in lieu thereof the following: "And by publishing such notice."

And the amendment was adopted.

Yeas, 22; nays, 5.

Yeas:

Messrs:

Acker	Cowan	Huddleston	Rogers (Sumter)
Baker	Craft	Miller	Sims
Bedsole	Ellis	McDowell	Smith (Coosa)
Briscoe	Espy	Prestwood	Smith (Lawrence)
Carlton	Gunter	Rogers (Lauderdale)	Tally
Carmichael	Harper		

Nays:

Messrs:

Beale	Morris	Phillips	West	—5
Kelly				

And said bill, as thus amended, was read a third time at length and passed.

Yeas, 17; nays, 11.

Yeas:

Messrs:

Acker	Craft	Huddleston	Rogers (Lauderdale)	
Bedsole	Ellis	Miller	Rogers (Sumter)	
Briscoe	Espy	McDowell	Smith (Lawrence)	
Carlton	Evins	Prestwood	Tally	—17
Carmichael	Gunter			

Nays:

Messrs:

Baker	Harper	Phillips	Tally	
Beale	Kelly	Sims	West	
Cowan	Morris	Smith (Coosa)		—11

The bill:

S. 549. To regulate costs, charges and fees in trials before the county courts and to provide for the collection thereof; to fix the salaries of judges of the county courts and to provide for their payment; to provide for clerks of the county court and to regulate their compensation.

Was taken up.

The Standing Committee on Judiciary offered the following amendment to said bill, to-wit:

Amend section 3 by inserting after the word "laws" where it occurs the second time in said section, the words: "except local laws.

Which was adopted.

Yeas, 22; nays, 1.

Yeas:

Messrs:

Acker	Cowan	Kelly	Rogers (Sumter)	
Baker	Craft	Miller	Sims	
Beale	Ellis	McDowell	Smith (Coosa)	
Briscoe	Espy	Prestwood	Smith (Lawrence)	
Carlton	Gunter	Rogers (Lauderdale)	Tally	—22
Carmichael	Harper			

Nays:

Mr. Morris—1.

And the bill, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas, 24; nays, 0.

Yeas:

Messrs:

Acker	Carmichael	Huddleston	Prestwood
Baker	Craft	Kelly	Rogers (Sumter)
Beale	Ellis	Miller	Sims
Bedsole	Espy	Moore	Smith (Lawrence)
Briscoe	Gunter	Morris	Tally
Carlton	Harper	McDowell	West

—24

Nays:—None.

The bill:

S. 550. To repeal sections 6655 and 6656 of the Code of Alabama of 1907.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 23; nays, 0.

Yeas:

Messrs:

Baker	Cowan	Kelly	Rogers (Sumter)
Beale	Craft	Miller	Sims
Bedsole	Ellis	Moore	Smith (Lawrence)
Briscoe	Gunter	Morris	Tally
Carlton	Harper	McDowell	West
Carmichael	Huddleston	Phillips	

—23

Nays:—None.

The bill:

S. 548. To amend section 5869 of the Code of 1907.

Was taken up.

Mr. Craft offered the following substitute for said bill, to-wit:

SUBSTITUTE FOR SENATE BILL 548.

A bill to be entitled an act to amend section 5869 of the Code of Alabama of 1907.

Be it enacted by the Legislature of Alabama: That section 5869 of the Code of Alabama of 1907 be, and the same is hereby, amended to read as follows:

Section 5869. That in all counties of the State of Alabama which now have not more than two hundred thousand of inhabitants according to the last Federal census or which may hereafter have such population according to any Federal census hereafter taken, in which the sheriff is not on a salary basis under and by virtue of a constitutional amendment, the sheriff of such

county must have one chief deputy and may have as many other deputies as he may think proper; provided, however, that the coroner of such county shall not be appointed a deputy.

Said chief deputy shall be appointed by the sheriff of the county to hold office at the pleasure of the sheriff, and for his services shall receive a salary of twelve hundred (1200) dollars per annum, payable in twelve equal monthly installments out of the treasury of the county upon the warrant of the board of revenue or board of county commissioners of such county.

All laws and parts of laws in conflict herewith be and the same are hereby repealed.

Which was adopted.

Yeas, 20; nays, 1.

Yeas:

Messrs:

Baker	Craft	Huddleston	Phillips
Bedsole	Ellis	Kelly	Rogers (Sumter)
Briscoe	Espy	Miller	Sims
Carlton	Gunter	Moore	Smith (Lawrence)
Carmichael	Harper	Morris	West

—20

Nays:

Mr. Tally—1.

And said bill, as thus amended, was read a third time at length and passed.

Yeas, 23; nays, 0.

Yeas:

Messrs:

Baker	Craft	Kelly	Rogers (Sumter)
Beale	Ellis	Miller	Sims
Bedsole	Espy	Moore	Smith (Lawrence)
Briscoe	Gunter	Morris	Tally
Carlton	Harper	Phillips	West
Carmichael	Huddleston	Prestwood	

—23

Nays:—None.

Mr. Tally moved to reconsider the vote by which the above bill, S. 548, was passed, which motion prevailed and said vote was reconsidered.

Mr. Tally also moved to reconsider the vote by which said bill, S. 548, was ordered to its third reading, which motion prevailed and said vote was reconsidered.

Mr. Tally then offered the following amendment to said bill, S. 548, to-wit:

Amend the bill by adding the following:

Provided the provisions of this bill shall not apply to any county having a population of not less than 32,900 nor more than 33,000 by the last or any subsequent Federal census.

Which was adopted.

Yeas, 23 ; nays, 1.

Yeas:

Messrs:

Baker	Espy	Miller	Sims
Beale	Evins	Moore	Smith (Coosa)
Carlton	Gunter	Morris	Smith (Lawrence)
Carmichael	Harper	McDowell	Tally
Craft	Huddleston	Phillips	West
Ellis	Kelly	Rogers (Sumter)	

—23

Nays:

Mr. Acker—1.

Mr. Carmichael moved that the vote by which the above amendment offered by Mr. Tally to Senate bill 548, was adopted, be reconsidered, which motion prevailed and the vote was reconsidered.

And Mr. Carmichael moved that the further consideration of said bill and the pending amendment be postponed until this afternoon, which motion prevailed, and the further consideration of said bill and the pending amendment thereto, was postponed until this afternoon.

RECESS.

On motion of Mr. Carmichael, the Senate at 1:10 o'clock P. M., took a recess until 2:30 o'clock this afternoon.

AFTERNOON SESSION—FORTIETH DAY.

Friday, August 29th, 1919.

The Senate reassembled at 2:30 o'clock P. M., Lieutenant Governor Miller, presiding.

ROLL CALL.

On a call of the roll 22 members answered to their names, a quorum of the Senate, as required by the Constitution.

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Huddleston :

S. 622. To appropriate the sum of \$7,500 per annum to each of the nine branch agricultural schools and experiment stations and the Northeast Alabama Agricultural and Industrial School located at Lineville, Alabama, in Clay county.

Finance and Taxation.

REPORTS OF COMMITTEES.

Mr. Butler, chairman of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit :

By Mr. Acker :

S. 530. To make an appropriation for the relief of John W. Abercrombie.

By Mr. Smith of Coosa :

S. 382. To regulate and provide for the military forces of the State of Alabama, and to promote its efficiency ; to prescribe rules, regulations and means for its organization, armament, equipment, discipline, control and supervision ; to provide for its maintenance, support and upkeep ; to provide means for the enforcement of this act ; and to fix penalties and punishments for the violation of this act.

BILL RECOMMENDED.

On motion of Mr. Acker, the bill :

S. 268. To provide for the payment of fees, allowances and commissions of judges of probate as fixed by law for the collection of licenses and taxes where the license or tax has been collected by institution of legal proceedings and paid into the State treasury, within the year next preceding the approval of this act, and thereafter, by any public officer other than the judge of probate, and whether in legal proceedings or otherwise.

Was taken from today's calendar and re-referred to the Standing Committee on Judiciary.

MESSAGE FROM THE HOUSE.

Mr. President :

The House has concurred in and adopted the Senate amendments to the bills :

H. 148. To provide for the election of the county superintendent of education of Morgan county, Alabama, by a direct vote of all the qualified electors of said county.

Also:

H. 617. To fix the salary of tax collectors in counties having a population of over eighty-two thousand and not exceeding one hundred thousand according to the last Federal census or any subsequent census and allowances for clerical help in said offices and to provide for payment thereof.

Fred H. Gormley,
Clerk.

MESSAGE FROM THE HOUSE.

Mr. President:

The House accedes to the request of the Senate for a Conference Committee on the disagreement of the two houses on the House amendment to the bill:

S. 443. To amend sections 2 and 3 of an act entitled "An act to establish a board of revenue for Shelby county, and to abolish the court of county commissioners thereof," passed at the session of 1911, being in Local Acts of Alabama, page 154, said amendment making the president and members of said board elective by the qualified voters of said county, and fixing the term of office of said president and members of said board and the time of their election and providing that in case of a vacancy in the office of president or a member of said board, the vacancy shall be filled by election by a majority of the members of the board, for the unexpired term; and providing further that the president and members of the board now holding office shall hold their said office until their successors are elected and qualified under the provisions of this act.

And the Speaker has named as a Committee of Conference on the part of the House, Messrs. Tompkins and Longshore.

And returns same herewith to the Senate.

Fred H. Gormley,
Clerk.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has originated and adopted the following House joint resolution:

By Mr. Andrews:

H. J. R. 184. Whereas, the active participation of the United States in the great world war tested the spirit and courage and resolution of the American people, through service and sacrifice and willingness to give combat with the forces of evil and tyranny even to the death, and

Whereas, the State of Alabama sent into the army of the United States more than 80,000 of her bravest and best, both as

officers and enlisted men, all of whom added new luster to the annals of American arms; and

Whereas, of all the goodly number whose names are borne on the national roll of honor as serving from Alabama, the name of Robert Lee Bullard, born January 15, 1861, in Yongesborough, then in Russell, now in Lee county, in this State, heads the list with the rank of lieutenant general in the regular army of the United States, this rank having been achieved through merited promotions and distinguished service, beginning as a graduate from West Point in 1885; with service in the 10th United States Infantry; colonel of the 3rd Alabama infantry regiment in the Spanish-American war; civil service in Cuba, 1907-08; lieutenant colonel, 8th Regular infantry, October 31, 1906; promoted colonel, March 11, 1911; twice commended for bravery in the Philippine campaign; governor of Lana, Moros, Island of Mindanao, 1902-04; promoted major general, 1917; commander of the first division of the American expeditionary forces, January, 1918, capturing and holding Cantigny, the first demonstration of the power of the American army; promoted lieutenant general October 21, 1918, and who did not retreat before the German drive at Chateau Thierry, but whose refusal to retreat, after the order to do so had come from general headquarters, turned the tide of battle in favor of the allies and forced the German retreat; awarded distinguished service order by direction of President Wilson; and chevalier of the Legion of Honor; and

Whereas, the conspicuous record of leadership so displayed by General Bullard should be kept in lasting remembrance by the people of Alabama, for the encouragement of aspiring youth and as a stimulus to all those who believe in the high principles of manliness and courage and personal character which have made possible his advance to eminence;

Now, therefore, be it resolved by the House of Representatives, the Senate concurring:

1. That the foregoing brilliant record is commended with the liveliest emotions of admiration and appreciation, coupled with the hope that his career may be a continuing inspiration to the youth of the land.

2. That Congress and the military authorities of the United States may permit this great soldier to retain permanently the high rank of lieutenant general, the right to which he has so justly earned.

3. That these resolutions be set forth at length in the journals of both houses, and in the acts of the Legislature in order that they may be given a permanent place in the official life and literature of the State.

4. That a copy of these resolutions be enrolled on parchment, signed by the presiding officer of the Senate, the Speaker of the House of Representatives, and the governor, and attested by the secretary of State with the great seal of the State, and forwarded to the distinguished subject.

And sends same herewith to the Senate.

Fred H. Gormley,
Clerk.

HOUSE MESSAGE.

On motion of Mr. Phillips, the rules were suspended and H. J. R. 184, set out in the foregoing message from the House, was adopted by the Senate.

REPORT OF COMMITTEE ON ENGROSSED BILLS.

Mr. President:

Your Standing Committee on Engrossed Bills beg leave to report that said committee, in session, have examined and compared the following engrossed bills, with the originals and find same correctly engrossed, to-wit:

S. 230. To fix the amount of ex-officio fees of sheriffs in all counties having a population of more than 37,900 and less than 38,000, according to the 1910 Federal census, or any subsequent census, where the assessed value of real and personal property in such counties exceeds ten million dollars and to provide for the payment of the same.

S. 232. To fix the amount of ex-officio fees of clerks of the circuit court in all counties having a population of more than 37,900 and less than 38,000, according to the 1910 Federal census or any subsequent census where the assessed value of real and personal property in such counties exceeds the sum of ten million dollars and to provide for the payment of the same.

S. 449. To designate a certain road a State trunk road in Cherokee county, Alabama.

S. 497. To provide for the election of county road engineers in counties having a population of not less than eighty thousand, nor more than eighty-two thousand, according to the Federal census of 1910, and to fix their duties and compensation.

S. 522. To amend an act entitled an act "To ratify, confirm, and validate the census of the cities and towns in the State of Alabama, of seven (7,000) thousand inhabitants and less, where the same has been taken as provided by the Code of Alabama of 1907, and the report of the same filed in the office of the Secretary of State," approved April 4th, 1911.

S. 523. To authorize divorce for abandonment whenever a party, who has deserted his or her consort for more than ten months, fails to return to the performance of his or her marital obligations within sixty days after notice.

S. 536. To provide for the compensation of deputy solicitors in all counties of the State, having a population of more than 27,100 and less than 27,200, according to the last Federal census, or any subsequent Federal census, and to provide the manner in which the same shall be paid.

S. 543. To authorize and empower boards of revenue in counties having a population of not less than \$2,000 and not more than 100,000 according to the latest Federal census, to expend county funds not exceeding \$2,500 per annum for county purposes not otherwise provided for by law.

R. B. Evins,
Chairman.

RESOLUTION.

Mr. Craft offered the following joint resolution:

S. J. R. 124. Whereas, the people of the city of Mobile, through the mayor, president of the chamber of commerce, president of the State harbor commission have extended to the governor, lieutenant governor, Senate and House of Representatives, and all State officials an invitation to visit Mobile—Alabama's only seaport—for the purpose of inspecting the needs of harbor facilities and for the further purpose of considering the advisability of State control and assistance for the State's only seaport.

Therefore, be it resolved by the Senate, the House concurring, That the said invitation be and the same is hereby accepted, and that Wednesday, September 10th, 1919, be the day on which the members of the Senate and the House will visit Mobile for the purposes aforesaid.

Which was, under a suspension of the rules, adopted.

BILLS ON THIRD READING.

The bill:

S. 240. To provide for the inspection of all public or private hospitals, reformatories, houses of detention, convents, asylums, sectarian seminaries, schools or institutions, by the sheriff of the county in which such institutions are situated or by the grand jury thereof, or by any person or persons appointed by the circuit judge of the circuit in which such institutions are located, upon the petition of twenty citizens of said county or district,

or by the volition of said judge, and to prescribe penalties for the violation hereof.

Was taken up.

The Standing Committee on Education offered the following substitute for said bill, to-wit:

SUBSTITUTE FOR SENATE BILL NO. 240—MR. WEST.

A BILL

To be entitled an act to provide for the inspection of all public or private hospitals, reformatories, houses of detention, convents, asylums, sectarian seminaries, schools or other institutions in the State of Alabama; to authorize the appointment of inspectors, and to provide penalties for the violation of any of the provisions hereof.

Be it enacted by the Legislature of Alabama:

Section 1. That all public or private hospitals, reformatories, houses of detention, convents, asylums, sectarian seminaries, schools or other like institutions in the State of Alabama shall be subject to inspection, and open to inspection, by the inspectors hereinafter provided, at any and all times between the hours of 8 A. M. and 7 P. M. and at any other hour than those named, should the necessity therefor arise.

Section 2. That such inspection shall be made by inspector or inspectors appointed by the governor of the State of Alabama and by the superintendent of education of the State of Alabama, either jointly or severally, as the same may be; but in the event the one or the other should fail or refuse to appoint such inspector or inspectors, the one or the other shall have full power and authority and it shall be his duty, to appoint an inspector or inspectors and to direct when and where such inspection shall be made.

Section 3. Such inspector or inspectors, when appointed, shall make a careful inspection of the institution directed to be inspected, as to its sanitary conditions, inside and outside of the buildings, all rooms in such building or buildings and the surrounding grounds and outhouses belonging or connected with such institution; shall have full power and authority, and it shall be the duty of such inspector or inspectors to make inquiry of all those kept, boarded or confined in such institution, separate and apart from the presence of any officer or other person connected in any way with such institution, as to their treatment, whether they or others there are subject to involuntary confinement or servitude, or are forcibly detained or unlawfully confined in such institution; the declared purpose of this section be-

ing to afford, within the confines of the institution and free from interference by or intimidation from any officer or other person in any way connected with said institution, a full opportunity to get the facts from anyone therein kept, boarded or confined as to the manner in which such institution is conducted and whether anyone therein is involuntarily confined, subjected to servitude or forcibly detained or unlawfully held.

Section 4. That such inspector or inspectors, as soon after making an inspection as practical, shall file in duplicate, one with the governor of the State, and one which the superintendent of education of the State of Alabama, a report in writing covering the points of inspection herein set out, and such other things as may seem pertinent to the purposes of such inspection, and stating conditions just as he found them, and as they are reported to him or them by those residing in or kept in or confined in such institution; and this report shall be open to inspection by any citizen of the State of Alabama, or any officer or agent of the Federal Government.

Section 5. That it shall be unlawful for any officer or agent of any institution directed to be inspected or for any other person whether connected with said institution or not, to in any way hinder or impede, oppose or prevent any inspector or inspectors from performing their or his duty in making an inspection, when directed so to do by the authority or authorities herein mentioned, and any person convicted of violating any of the provisions hereof shall be deemed guilty of a misdemeanor and upon conviction shall be sentenced to hard labor for the county for not less than thirty nor more than one hundred and eighty days and may be fined not less than the fifty nor more than five hundred dollars.

Section 6. That any inspector or inspectors appointed as herein provided and who accepts such an appointment, who shall divulge to any person or person until the inspection is made the fact of his appointment or when or where he will perform the inspection of any institution directed to be inspected shall be guilty of a misdemeanor and upon conviction shall be fined not less than the fifty nor more than five hundred dollars, and may also be sentenced to hard labor for the county for not less than thirty nor more than one hundred and eighty days.

Section 7. That all laws, local, special and general or either, in conflict with the provisions of this act be and they are hereby expressly repealed.

Mr. Craft offered the following substitute for said committee substitute, to-wit:

Substituted for bill 240 by

A BILL

To be entitled an act to provide for the inspection of all public or private hospitals, reformatories, houses of detention, detention homes, asylums, seminaries, schools and other institutions in the State of Alabama, whether public or private, secular or otherwise; to authorize the appointment of inspectors, and to provide penalties for the violation of any of the provisions hereof.

Be it enacted by the Legislature of Alabama:

Section 1. That all public or private hospitals, reformatories, houses of detention, detention homes, asylums, seminaries, schools, and other like institutions in the State of Alabama, whether public or private, and whether secular or otherwise, shall be subject to inspection, and open to inspection, by the inspectors herein after provided, at any and all times between the hours of 10 A. M. and 4 P. M.

Section 2. Each inspection shall be made by a board of visitors consisting of three persons to be appointed by the governor in each community, place, town or city where such inspection is to be made, and such appointees shall be subject to his direction and removable at his pleasure; and where the place or institution to be inspected contains only females, at least two of the appointees shall be women and where it contains only males, at least two of the appointees shall be males, and where it contains both males and females, the governor shall name the appointees in his sole discretion, and one of the said committee shall be a Protestant, one a Hebrew and one a Catholic, wherever it is possible.

Section 3. Such inspectors, when appointed, shall make a careful inspection of the institution directed to be inspected, as to its sanitary conditions, inside and outside of the building, and as to the general conditions prevailing in such institutions, especially as to the care and welfare of those confined or residing therein.

Section 4. That such inspectors, as soon after making an inspection as practical, shall file in duplicate, one with the governor of the State of Alabama, and one with the superintendent of education of the State of Alabama, and one to the institution inspected, a report in writing covering the points of inspection herein set out, and such other things as may seem pertinent to the purposes of such inspection, and stating conditions found and as reported to them by those residing in or kept in or confined in such institutions. Such reports shall particularly state whether the institution inspected is up to the standard which

prevails or should prevail within the State, and whether the institution inspected is deserving of the patronage and support of the people or not. And this report shall be open to inspection by any citizen of the State of Alabama or any officer or agent of the Federal Government.

Section 5. That it shall be unlawful for any officer or agent of any institution directed to be inspected or for any other person whether connected with said institution or not, to in any way hinder or impede, oppose or prevent any of the inspectors from performing their duty in making an inspection, when directed so to do by the authority or authorities herein mentioned, and any person convicted of violating any of the provisions hereof shall be sentenced to hard labor for the county for not less than thirty nor more than one hundred and eighty days and may be fined not less than the fifty nor more than five hundred dollars.

Section 6. That all laws, local, special or general in conflict with the provisions of this act be and they are hereby expressly repealed.

Mr. Craft moved to recommit said bill and the pending substitutes to the Standing Committee on Judiciary.

Mr. West moved to lay the motion of Mr. Craft on the table, which motion to table was lost.

Yeas, 12; nays, 15.

Yeas:

Messrs:

Brown
Carlton
Cowan

Espy
Harper
Kelly

Moore
Morris
Phillips

Prestwood
Smith (Coosa)
West

—12

Nays:

Messrs:

Acker
Beale
Briscoe
Carmichael

Craft
Ellis
Evins
Gunter

Miller
McDowell
Rogers (Lauderdale)
Rogers (Sumter)

Sims
Smith (Lawrence)
Tally

—15

The question then recurred on the motion of Mr. Craft to recommit said bill and the pending substitutes to the Committee on Judiciary, which motion was lost.

Mr. West then raised the point of order that the substitute offered by Mr. Craft for the committee substitute was not germane to the committee substitute, and the point of order was sustained by the chair.

Mr. Craft appealed from the decision of the chair holding the point of order made by West well taken, and the chair was sustained by the Senate.

Mr. Craft then offered the following amendment to the substitute offered by the Committee on Education for said bill, to-wit:

Amend section 2 so as to read as follows:

Section 2. That such inspection shall be made by an inspector or inspectors appointed by the governor of the State of Alabama, and it shall be the duty of the governor to appoint such inspector or inspectors and to direct when and where such inspection or inspections shall be made.

Which was adopted.

Mr. Craft also offered the following amendment to said committee substitute, to-wit:

Amend section 5 by striking therefrom the following words: "Shall be sentenced to hard labor for the county for not less than thirty nor more than one hundred and eighty days, and may be fined not less than fifty nor more than five hundred dollars" and inserting in lieu thereof the following: "Shall be fined not less than fifty nor more than five hundred dollars, and also be sentenced to hard labor for the county for not less than thirty nor more than one hundred and eighty days."

Which was adopted.

And the substitute offered by the committee, as thus amended, was then adopted.

Yeas, 18; nays, 0.

Yeas:

Messrs:

Beale	Ellis	Kelly	Phillips
Briscoe	Espy	Moore	Smith (Coosa)
Brown	Gunter	Morris	Smith (Lawrence)
Carlton	Harper	McDowell	West
Craft	Huddleston		

—18

Nays:—None.

And said bill, as thus amended, was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 18; nays, 0.

Yeas:

Messrs:

Beale	Ellis	Leith	McDowell
Briscoe	Gunter	Miller	Rogers (Lauderdale)
Brown	Harper	Moore	Smith (Lawrence)
Carlton	Huddleston	Morris	West
Craft	Kelly		

—18

Nays:—None.

UNFINISHED BUSINESS.

The Senate proceeded to consider the unfinished business of the morning session, which was:

S. 548. To amend section 5869 of the Code of 1907.

And the amendment offered thereto by Mr. Tally was set out in the morning session.

Mr. Tally moves that further consideration of said bill and amendment be postponed until the 41st legislative day and said bill be made a special order for said 41st legislative day immediately after the reports of standing committees, which motion prevailed, and said bill and the pending amendment were postponed until the 41st legislative day of the session and made a special order for consideration immediately after the reports of standing committees.

The bill:

S. 533. To authorize and require boards of revenue or courts of county commissioners in all counties of this State having a population of more than 150,000, according to the last or any succeeding Federal census to provide each circuit judge with an adequate number of law books.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 18; nays, 0.

Yeas:

Messrs:

Beale	Ellis	Kelly	Phillips
Briscoe	Espy	Moore	Rogers (Lauderdale)
Carlton	Gunter	Morris	Smith (Lawrence)
Carmichael	Harper	McDowell	West
Craft	Huddleston		

—18

Nays:—None.

The bill:

S. 206. To amend sections 3 and 4 of an act entitled, "An act to create a State harbor commission to be known as the 'State harbor commission,' define its jurisdiction, powers and duties and prescribe the mode of procedure and penalties for violation of this act, and to repeal all laws in conflict therewith." Approved September 25th, 1915.

Was taken up.

The Standing Committee on Revision of Laws offered the following substitute for said bill, to-wit:

A BILL

To be entitled an act to amend sections 3, 4 and 5 of an act entitled, "An act to create a State harbor commission to be

known as the 'State harbor commission,' define its jurisdiction, powers and duties and prescribe the mode of procedure and penalties for violation of this act and to repeal all laws in conflict therewith," approved September 25, 1915.

Be it enacted by the Legislature of Alabama:

1. That sections 3 and 4 of an act entitled, "An act to create a State harbor commission to be known as the 'State harbor commission,' define its jurisdiction, powers and duties and prescribe the mode of procedure and penalties for violation of this act, and to repeal all laws in conflict therewith," approved September 25, 1915, be and the same are hereby amended so as to read as follows:

3. If a vacancy occurs from any cause in the office of a commissioner before the expiration of his term, his successor must be appointed by the governor, as hereinafter provided, and hold office for the unexpired portion of said term.

4. All of the members of said board, at the time of their appointment and during their respective terms of office, shall be citizens of the United States and residents of the State of Alabama. At the expiration of their several terms, their successors shall be appointed by the governor for a term of five years each. For the faithful performance of his duties every commissioner shall execute a bond for the sum of five thousand dollars (\$5,000) in some bonding company, authorized to do business in this State, and the premium on said bonds shall be paid from the treasury of the board.

5. It shall be the duty of the governor to designate from the commissioners appointed or to be appointed immediately after the approval of this amendatory act, a president and executive officer of the board. On the expiration of the term of the commissioner appointed as president the governor shall appoint a new president. It shall be his duty to preside at its meetings, to supervise the official conduct of all its officers and employees, especially in the collection, custody and disbursement of the revenues of said board, and to require all books, papers and accounts to be accurately kept and in proper form, and all the provisions of law and the regulations of the board to be enforced and observed. He may administer official oaths to the officers and employees of the board, except the other commissioners, and to all other persons in relation to the business of the board. In the absence of the president, the remaining commissioners shall select from their number an acting president to hold office during the absence of the president. The acting president shall have all the power and authority possessed by the president.

Which was adopted.

Yeas, 19; nays, 0.

Yeas:

Messrs:

Beale	Espy	Moore	Smith (Coosa)
Briscoe	Evins	Morris	Smith (Lawrence)
Carlton	Gunter	McDowell	Tally
Craft	Huddleston	Phillips	West
Ellis	Kelly	Rogers (Lauderdale)	

—19

Nays:—None.

And said bill, as thus amended, was read a third time at length and passed.

Yeas, 19; nays, 0.

Yeas:

Messrs:

Beale	Ellis	Moore	Rogers (Sumter)
Briscoe	Evins	Morris	Smith (Coosa)
Brown	Gunter	McDowell	Smith (Lawrence)
Carlton	Huddleston	Phillips	West
Craft	Kelly	Rogers (Lauderdale)	

—19

Nays:—None.

RESOLUTION.

Mr. Acker offered the following resolution:

S. J. R. 125. Resolved by the Senate, the House concurring, That when the two houses adjourn today, they adjourn to meet again on Wednesday next, at 10 A. M.

Which was adopted.

LEAVE OF ABSENCE.

Mr. Tally requested leave of absence until Tuesday, which was granted.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has amended as therein shown and as amended has passed:

S. 398. To fix the salaries of the several justices of the Supreme Court.

And returns same herewith to the Senate.

Fred H. Gormley,
Clerk.

HOUSE MESSAGE.

On motion of Mr. Evins, the Senate concurred in the following amendment by the House to Senate bill No. 398, the title of which is set out in the foregoing message from the House, to-wit:

Strike out \$7,500.00 and insert the figures \$6,500.00.

Yeas, 22; nays, 0.

Yeas:

Messrs:

Briscoe	Espy	Moore	Rogers (Sumter)
Brown	Evins	Morris	Sims
Carlton	Gunter	McDowell	Smith (Lawrence)
Carmichael	Huddleston	Phillips	Tally
Craft	Kelly	Rogers (Lauderdale)	West
Ellis	Miller		

—22

Nays:—None.

BILLS ON THIRD READING RESUMED.

The bill:

S. 453. To authorize the extension of the corporate existence of banking corporations organized under or chartered by any special act of the Legislature and to provide the method of making such extension.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 20; nays, 0.

Yeas:

Messrs:

Briscoe	Espy	Miller	Rogers (Lauderdale)
Carlton	Evins	Moore	Rogers (Sumter)
Carmichael	Gunter	Morris	Sims
Craft	Huddleston	McDowell	Smith (Lawrence)
Ellis	Kelly	Phillips	West

—20

Nays:—None.

The bill:

S. 525. To regulate and define the power and jurisdiction of constables in all counties in the State of Alabama having a population of 200,000 or more, according to the last or any future Federal census.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 21; nays, 0.

Yeas:

Messrs:

Beale	Ellis	Kelly	Phillips
Bedsole	Espy	Miller	Rogers (Lauderdale)
Briscoe	Evins	Moore	Smith (Coosa)
Carlton	Gunter	Morris	Smith (Lawrence)
Carmichael	Huddleston	McDowell	West
Craft			

—21

Nays:—None.

The bill:

S. 409. To authorize the admissability of parole evidence in the trial of causes involving violations of the stock law.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 20; nays, 0.

Yeas:

Messrs:

Acker	Carlton	Huddleston	McDowell
Beale	Craft	Kelly	Phillips
Bedsole	Ellis	Miller	Rogers (Lauderdale)
Briscoe	Espy	Moore	Smith (Coosa)
Brown	Gunter	Morris	West

—20

Nays:—None.

The bill:

H. 534. To abolish the county court of Coosa county, and the offices pertaining thereto.

Was taken up.

Mr. Smith of Coosa offered the following amendment to said bill, to-wit:

Amend the caption of H. 534 by adding thereto the following words:

And provide for the disposition and trial of all cases which may be pending before said county court.

And the amendment was adopted.

Yeas, 19; nays, 0.

Yeas:

Messrs:

Beale	Ellis	Kelly	Prestwood
Brown	Espy	Moore	Rogers (Lauderdale)
Butler	Evins	Morris	Smith (Coosa)
Carlton	Gunter	McDowell	West
Craft	Huddleston	Phillips	

—19

Nays:—None.

And the bill, as thus amended, was read a third time at length and passed.

Yeas, 18; nays, 0.

Yeas:

Messrs:

Beale	Gunter	Morris	Sims
Carlton	Huddleston	Phillips	Smith (Coosa)
Craft	Kelly	Prestwood	Smith (Lawrence)
Ellis	Miller	Rogers (Lauderdale)	West
Espy	Moore		

—18

Nays:—None.

The bill:

S. 322. To appropriate the sum of four hundred and twenty-five dollars for the relief of the Rev. J. E. Deer, of Escambia county, Alabama, for services rendered as chaplain at State convict camps.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 20; nays, 1.

Yeas:

Messrs:

Beale	Ellis	Kelly	Prestwood
Bedsole	Espy	Miller	Rogers (Lauderdale)
Briscoe	Evins	Moore	Sims
Brown	Harper	McDowell	Smith (Coosa)
Carlton	Huddleston	Phillips	West

—20

Nays:

Mr. Morris—1.

The bill:

S. 547. To authorize municipal corporations to improve streets and sidewalks, and sections of streets and sidewalks, by the construction of electric lighting systems known as "White Ways," and charge the expense thereof to the abutting property owners, provided the cost of such construction shall not be in excess of the increased value of said property charged with such improvement, and provided such lighting system shall not apply to nor include overhead street lighting; and to provide for such municipal corporations to maintain such lighting systems after they have been established and to provide and pay for the cost of the current and expense of such maintenance thereafter.

Was taken up.

Mr. Prestwood offered the following amendment to said bill:

Amend the caption of Senate bill 547 by adding after the

word corporations where it appears in said caption and before the word "to" where it appears, the following words:

"having a population of not less than 6689 inhabitants nor more than 7,000 inhabitants, according to the last Federal census or any subsequent Federal census that may be hereafter taken."

Which was adopted.

Yeas, 23; nays, 0.

Yeas:

Messrs:			
Beale	Craft	Huddleston	Phillips
Bedsole	Ellis	Kelly	Prestwood
Briscoe	Espy	Miller	Rogers (Lauderdale)
Brown	Evins	Moore	Smith (Coosa)
Carlton	Griffith	Morris	West
Carmichael	Harper	McDowell	

—23

Nays:—None.

Mr. Prestwood also offered the following amendment to said bill:

Amend section 1 of Senate bill No. 547 by adding after the word "corporations" where it appears on the first line of said section and before the word "shall" on said line in said section, the following words:

"Having a population of not less than 6689 inhabitants nor more than 7,000 inhabitants, according to the last Federal census or any subsequent Federal census that may be hereafter taken."

Which amendment was adopted.

Yeas, 25; nays, 0.

Yeas:

Messrs:			
Acker	Ellis	Kelly	Prestwood
Beale	Espy	Miller	Rogers (Lauderdale)
Bedsole	Evins	Moore	Sims
Briscoe	Griffith	Morris	Smith (Coosa)
Brown	Harper	McDowell	Smith (Lawrence)
Carlton	Huddleston	Phillips	West
Craft			

—25

Nays:—None.

And said bill, as thus amended, was read a third time at length and passed.

Yeas, 25; nays, 0.

Yeas:

Messrs:			
Acker	Bedsole	Brown	Carmichael
Beale	Briscoe	Carlton	Craft

Ellis	Kelly	McDowell	Sims
Espy	Miller	Phillips	Smith (Coosa)
Griffith	Moore	Prestwood	Smith (Lawrence)
Harper	Morris	Rogers (Lauderdale)	West
Huddleston			

—25.

Nays:—None.

The bill:

S. 369. To authorize and empower the court of county commissioners, the board of revenue, or other governing body of the several counties of this State to issue interest bearing warrants of the county in settlement of debts or other obligations incurred in the construction or maintenance of public roads or necessary public buildings, or as a security for money borrowed for the payment of such debt or obligation and to issue and sell interest bearing warrants to secure funds for the payment of such debt or obligation and to regulate and prescribe the method of issuing such interest bearing warrants.

Was taken up.

Mr. West offered the following amendment to said bill:

Amend Senate bill No. 369 by adding the following at the end of section 8:

Provided that nothing in this act shall apply to counties having property the valuation of which exceeds one hundred millions of dollars.

Which was adopted.

Yeas, 23; nays, 0.

Yeas:

Messrs:

Acker	Craft	Miller	Rogers (Sumter)
Baker	Ellis	Moore	Sims
Beale	Evins	Morris	Smith (Coosa)
Bedsole	Gunter	McDowell	Smith (Lawrence)
Briscoe	Harper	Prestwood	West
Carlton	Kelly	Rogers (Lauderdale)	

—23

Nays:—None.

Mr. Morris offered the following amendment to said bill:

Amend Senate bill 369 by adding to the bill the following section, viz:

"Provided, however, that in no case shall any commissioners' court or board of revenue issue any written evidence of debt whether called whether called bond or warrants or by whatsoever name called, unless the issuance thereof has been previously authorized by a majority vote of the people at an election held and

conducted as now provided for by statutes providing for an election to determine whether bonds of a county shall be issued."

Mr. Acker moved to lay the amendment by Mr. Morris on the table, which motion prevailed and said amendment was laid on the table.

Mr. Prestwood offered the following amendment to said bill:

Amend section three (3) of Senate bill No. 369 by adding to said section the following: "Provided this shall not apply to interest-bearing warrants heretofore issued by any county and for which a special fund has already been provided or created."

Which was adopted.

Yeas, 25; nays, 0.

Yeas:

Messrs:

Acker	Craft	Kelly	Rogers (Lauderdale)
Baker	Ellis	Miller	Rogers (Sumter)
Beale	Espy	Moore	Sims
Bedsole	Evins	Morris	Smith (Coosa)
Briscoe	Gunter	McDowell	Smith (Lawrence)
Carlton	Harper	Prestwood	West
Carmichael			

—25

Nays:—None.

Mr. Acker offered the following amendment to said bill:

Amend section 1 of the bill by inserting in said section after the words: "buildings for the county" and before the words "or as security" where said words appear in said section, the words: "and other necessary expenses of the county," and

Amend section 3 of the bill by striking out of said section wherever they occur the words "twenty-five per cent" and inserting in lieu thereof the words: "forty per cent."

Which was adopted.

Yeas, 23; nays, 0.

Yeas:

Messrs:

Acker	Carmichael	Miller	Rogers (Lauderdale)
Baker	Craft	Moore	Rogers (Sumter)
Beale	Ellis	Morris	Sims
Bedsole	Espy	McDowell	Smith (Lawrence)
Briscoe	Evins	Phillips	West
Carlton	Harper	Prestwood	

—23

Nays:—None.

And said bill, as thus amended, was read a third time at length and passed.

Yeas, 25; nays, 0.

Yeas:

Messrs:

Acker	Ellis	Kelly	Rogers (Lauderdale)
Baker	Espy	Miller	Rogers (Sumter)
Beale	Evins	Moore	Sims
Bedsole	Gunter	Morris	Smith (Coosa)
Briscoe	Harper	McDowell	Smith (Lawrence)
Carlton	Huddleston	Prestwood	West
Craft			

—25

Nays:—None.

REPORT FROM COMMITTEE ON ENROLLED BILLS.

Mr. President:

Your Standing Committee on Enrolled Bills beg leave to report that said committee, in session, have compared the following enrolled bill, with the engrossed and original bill, respectively, and find same correctly enrolled, to-wit:

S. 398. To fix the salaries of the several justices of the Supreme Court.

Chas. McDowell, Jr.,
Chairman.

SIGNING OF BILL.

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the following bill:

S. 398. To fix the salaries of the several justices of the Supreme Court.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has amended as therein shown, and as amended, has adopted:

S. J. R. 125. Making adjourning until Tuesday at 10 o'clock A. M.

And returns same herewith to the Senate.

Fred H. Gormley,
Clerk.

HOUSE MESSAGE.

Mr. McDowell moved that the Senate non-concur in the following amendment by the House to S. J. R. 125, the title of which is above set out, to-wit:

Amend by making the date of meeting Tuesday at 10 o'clock instead of Wednesday.

Mr. Briscoe moved to table the motion of Mr. McDowell and motion to table prevailed.

Mr. Smith of Coosa, moved that the Senate concur in the above House amendment. Mr. Huddleston moved to lay the motion of Mr. Smith of Coosa on the table, which motion was lost.

The question then recurred on the motion of Mr. Smith of Coosa to concur in the House amendment, which motion prevailed, and the House amendment above set out was concurred in by the Senate.

REPORT OF COMMITTEE OF CONFERENCE.

To the President of the Senate,

To the Speaker of the House:

The undersigned, as members of the Conference Committee to consider the disagreement between the two houses regarding

S. 443. A bill to be entitled an act to amend sections 2 and 3 of an act entitled "An act to establish a board of revenue for Shelby county and to abolish the court of county commissioners thereof," passed at the session of 1911, being in Local Acts of Alabama, page 154, said amendment making the president and members of said board elective by the qualified voters of said county, and fixing the term of office of said president and members of said board and the time of their election and providing that in case of a vacancy in the office of president or a member of said board, the vacancy shall be filled by election by a majority of the members of the board for the unexpired term; and providing further that the president and members of the board now holding office shall hold their said office until their successors are elected and qualified under the provisions of this act."

Report and recommend the following:

1. That the Senate concur in the House amendment.

Respectfully submitted,

J. C. Harper,

W. P. Acker,

On the part of the Senate.

O. L. Tompkins,

A. P. Longshore,

On the part of the House.

CONFERENCE REPORT.

On motion of Mr. Acker the Senate concurred in and adopted the report of the Committee of Conference on the disagreement of the two houses on the House amendment to Senate bill No

443, the title of which is set out in the above report of the Committee of Conference.

Yeas, 23; nays, 0.

Yeas:

Messrs:

Acker	Ellis	Kelly	Rogers (Lauderdale)
Baker	Espy	Miller	Rogers (Sumter)
Beale	Evins	Moore	Sims
Bedsole	Gunter	Morris	Smith (Lawrence)
Briscoe	Harper	McDowell	West
Craft	Huddleston	Prestwood	

—23

Nays:—None.

Gentlemen of the Senate:

I am directed by the governor to hand you herewith his message concerning Senate bill 275.

Respectfully,
W. A. Darden,
Secretary to the Governor.

August 29, 1919.

MESSAGE FROM THE GOVERNOR.

In re. Senate Bill 275.

Gentlemen of the Senate:

I herewith return Senate bill 275. This is a local bill providing that the clerk of the circuit court of Hale county, Alabama, shall be ex-officio clerk of the county court of said county. It seems to be covered generally by the provisions of House bill 104, which is a general act and which has heretofore been approved by me. The author of the bill, Senator Evins, concurs in this view, and accordingly the bill is returned without my approval.

Respectfully,
Thos. E. Kilby,
Governor.

August 29, 1919.

Note.—By direction of the President of the Senate, no action was taken on the above veto message of the Governor.—Secretary.)

MESSAGE FROM THE HOUSE.

Mr. President:

The Speaker having signed the following House bills, your signature thereto is requested:

H. 412. To authorize and require the city school board, or city board of education, or by whatever name called in all cities or towns of this State having a population of not less than 38,000 nor more than 40,000, according to the last or any succeeding

Federal census, to provide a pension or retiring allowance for teachers who have served in the public schools of such city or town.

Also:

H. 470. To make it unlawful to solicit orders from or sell to tenants or others on plantations in Dallas county certain articles without the consent of certain persons; to prescribe the penalty for the violation of this act and to confer on justices of the peace jurisdiction to try causes arising hereunder.

Also:

H. 503. To create and designate an additional trunk road, extending from the town of Heflin in Cleburne county south to Wedowee in Randolph county, and to confer upon said road all of the rights and privileges now extended to trunk roads in this State.

Also:

H. 527. For the protection of salt water shrimp, to provide the manner in which said crustaceans may be caught, taken and marketed; to fix the seasons during which they may be caught, to authorize the issuance of licenses to persons seining for salt water shrimp, to provide a tax on all salt water shrimp taken in the waters within the State of Alabama, and to provide penalties for the violation of the provisions of this act.

Also:

H. 580. To prohibit stock from running at large in subdivisions of a voting precinct, or beat, or in subdivisions of a county less than a voting precinct or beat in all counties having a population of as much as twenty thousand two hundred and ten and not more than twenty thousand two hundred and fifty, according to the Federal census of 1910; or according to any subsequent Federal census, to provide for the removal of gates across public roads used to enclose such free or common range; and to fix penalties for the violation of the provisions of this act.

Also:

H. 594. To repeal an act to provide for the better construction repairing working and maintaining of public roads and bridges in Clay county, Alabama, approved March 29th, 1911.

Also:

H. 703. To prescribe the qualifications, duties and compensations of coroners and their assistants; making it unlawful for any one to remove or disturb the body of a person whose death is due to violence before an inquest by the coroner if he deems it necessary; to make it the duty of the sheriff to execute any, and all, process directed to him by the coroner in the discharge of his official duties; to authorize coroners to punish contempts,

to authorize and empower coroners to perform autopsies upon the bodies of persons who have died by violence when necessary to ascertain the causes of death, to prescribe the pay of witnesses and jurors in proceedings by coroners; to authorize any person to pick up and to secure the bodies of any deceased person found in any of the waters or streams in any of the counties embraced in this act and to further provide for their compensation for so doing; this act shall embrace and shall apply only to counties in this State containing not less than eighty thousand nor more than eighty-one thousand inhabitants; according to the last Federal census, and shall repeal all laws and parts of laws in conflict with this act.

Also:

H. 706. To appropriate the sum of \$234.00 to be paid to Israel Belser, in full settlement of the amount due him by the State of Alabama for services rendered as assistant State chaplain of convicts during 1915 and part of 1916, for which services he has not been paid.

Also:

H. 533. To fix the time of holding the county court in Conecuh county, Alabama.

Fred H. Gormley,
Clerk.

MESSAGE FROM THE HOUSE.

Mr. President:

The Speaker having signed the following House bills, your signature thereto is requested:

H. 568. To require all fines and forfeitures in criminal cases in Henry county, Alabama, to be paid in money and to provide for the collection and disposition of said fines and forfeitures.

Also:

H. 698. To amend section one of an act approved December 9th, 1896, and entitled, "An act to amend the charter of the town of Eutaw, in Greene county, in the State of Alabama, and all acts amendatory thereto."

Also:

H. 732. To designate a certain public road of Alabama as a State trunk road or highway, and to provide the means by which such State trunk road or highway shall be constructed, improved, and maintained.

Fred H. Gormley,
Clerk.

MESSAGE FROM THE HOUSE.

Mr. President:

The Speaker having signed the following House bills, your signature thereto is requested:

H. 537. To further prescribe times of election and terms of office of the county commissioners of Henry county, Alabama.

Also:

H. 547. To authorize the commissioners court of Tallapoosa county to issue a warrant in favor of Jennie Hagerdorn, for the sum of \$888.62, and to provide for the payment of the same by the county treasurer.

Also:

H. 548. To authorize the commissioners of Tallapoosa county to issue a warrant in favor of the Alexander City Bank, for the sum of \$1,080.11, and to provide for the payment of the same by the county treasurer.

Also:

H. 575. To require all the fees collected under and by virtue of sections 6655 and 6656 of the Code of Alabama, in the county court of Shelby county, Alabama, to be paid into the county treasury of Shelby county, Alabama; to provide a fund out of which the salary of the judge of the county court of Shelby county, Alabama, shall be paid; to fix the amount of such salary, and to provide for the payment of said salary by warrants of said judge drawn on the treasury of said county, and making said warrants a preferred claim against the treasury of said county.

Also:

H. 609. To amend section four of an act entitled an act to establish an inferior court in precincts two and thirty-three in Jefferson county, Alabama, said precincts lying within or partly within the city of Bessemer, in lieu of all justices of the peace in said precincts and to define the jurisdiction and power of the said court and of the judge, clerk and other officers thereof and to provide for a place for holding the same; approved August 27th, 1915.

Also:

H. 630. To relieve H. T. Deese, a Confederate soldier.

Also:

H. 649. To provide for service by the sheriff and his deputies of criminal processes in State cases in all counties of the State of Alabama which have a population of one hundred and fifty thousand and more, according to the last or any subsequent Federal census, and wherein the sheriff of such counties is upon a salary basis, and to prohibit the service of such process other

than herein designated, except processes other than warrants of arrest issued by justices of the peace.

Also:

H. 687. To conserve and save from depletion the public oyster reefs of Alabama, and to further regulate the taking of oysters from the public reefs of the State, and for the protection of and extension of such reefs, and the development of the oyster industry, to declare such oysters the property of the State and to prescribe the condition under which such title may be divested and such oysters become articles of commerce, to provide for the payment of a license and tax by those catching, selling, or transporting the same, the rules of evidence on the trials of those violating the provisions of this act, who may try such cases, provide penalties for the violation of this act, and that all expenses incurred in carrying the provisions of same into effect shall be paid out of the oyster fund.

Fred H. Gormley,
Clerk.

SIGNING OF BILLS.

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the following bills:

H. 412. To authorize and require the city school board, or city board of education, or by whatever name called in all cities or towns of this State having a population of not less than 38,000 nor more than 40,000, according to the last or any succeeding Federal census, to provide a pension or retiring allowance for teachers who have served in the public schools of such city or town.

H. 470. To make it unlawful to solicit orders from or sell to tenants or others on plantations in Dallas county certain articles without the consent of certain persons; to prescribe the penalty for the violation of this act and to confer on justices of the peace jurisdiction to try causes arising hereunder.

H. 503. To create and designate an additional trunk road, extending from the town of Heflin in Cleburne county south to Wedowee in Randolph county, and to confer upon said road all of the rights and privileges now extended to trunk roads in this State.

H. 527. For the protection of salt water shrimp, to provide the manner in which said crustaceans may be caught, taken and marketed; to fix the seasons during which they may be caught, to authorize the issuance of licenses to persons seining for salt

water shrimp, to provide a tax on all salt water shrimp taken in the waters within the State of Alabama, and to provide penalties for the violation of the provisions of this act.

H. 580. To prohibit stock from running at large in subdivisions of a voting precinct, or beat, or in subdivisions of a county less than a voting precinct or beat in all counties having a population of as much as twenty thousand two hundred and ten and not more than twenty thousand two hundred and fifty, according to the Federal census of 1910; or according to any subsequent Federal census, to provide for the removal of gates across public roads used to enclose such free or common range; and to fix penalties for the violation of the provisions of this act.

H. 594. To repeal an act to provide for the better construction repairing working and maintaining of public roads and bridges in Clay county, Alabama, approved March 29th, 1911.

H. 703. To prescribe the qualifications, duties and compensations of coroners and their assistants; making it unlawful for any one to remove or disturb the body of a person whose death is due to violence before an inquest by the coroner if he deems it necessary; to make it the duty of the sheriff to execute any, and all, process directed to him by the coroner in the discharge of his official duties; to authorize coroners to punish contempts, to authorize and empower coroners to perform autopsies upon the bodies of persons who have died by violence when necessary to ascertain the causes of death, to prescribe the pay of witnesses and jurors in proceedings by coroners; to authorize any person to pick up and to secure the bodies of any deceased person found in any of the waters or streams in any of the counties embraced in this act and to further provide for their compensation for so doing; this act shall embrace and shall apply only to counties in this State containing not less than eighty thousand nor more than eighty-one thousand inhabitants; according to the last Federal census, and shall repeal all laws and parts of laws in conflict with this act.

H. 706. To appropriate the sum of \$234.00 to be paid to Israel Belser, in full settlement of the amount due him by the State of Alabama for services rendered as assistant State chaplain of convicts during 1915 and part of 1916, for which services he has not been paid.

H. 533. To fix the time of holding the county court in Conecuh county, Alabama.

H. 568. To require all fines and forfeitures in criminal cases in Henry county, Alabama, to be paid in money and to provide for the collection and disposition of said fines and forfeitures.

H. 698. To amend section one of an act approved December 9th, 1896, and entitled, "An act to amend the charter of the

town of Eutaw, in Greene county, in the State of Alabama, and all acts amendatory thereto."

H. 732. To designate a certain public road of Alabama as a State trunk road or highway, and to provide the means by which such State trunk road or highway shall be constructed, improved, and maintained.

H. 537. To further prescribe times of election and terms of office of the county commissioners of Henry county, Alabama.

H. 547. To authorize the commissioners court of Tallapoosa county to issue a warrant in favor of Jennie Hagerdorn, for the sum of \$888.62, and to provide for the payment of the same by the county treasurer.

H. 548. To authorize the commissioners of Tallapoosa county to issue a warrant in favor of the Alexander City Bank, for the sum of \$1,080.11, and to provide for the payment of the same by the county treasurer.

H. 575. To require all the fees collected under and by virtue of sections 6655 and 6656 of the Code of Alabama, in the county court of Shelby county, Alabama, to be paid into the county treasury of Shelby county, Alabama; to provide a fund out of which the salary of the judge of the county court of Shelby county, Alabama, shall be paid; to fix the amount of such salary, and to provide for the payment of said salary by warrants of said judge drawn on the treasury of said county, and making said warrants a preferred claim against the treasury of said county.

H. 609. To amend section four of an act entitled an act to establish an inferior court in precincts two and thirty-three in Jefferson county, Alabama, said precincts lying within or partly within the city of Bessemer, in lieu of all justices of the peace in said precincts and to define the jurisdiction and power of the said court and of the judge, clerk and other officers thereof and to provide for a place for holding the same; approved August 27th, 1915.

H. 630. To relieve H. T. Deese, a Confederate soldier.

H. 649. To provide for service by the sheriff and his deputies of criminal processes in State cases in all counties of the State of Alabama which have a population of one hundred and fifty thousand and more, according to the last or any subsequent Federal census, and wherein the sheriff of such counties is upon a salary basis, and to prohibit the service of such process other than herein designated, except processes other than warrants of arrest issued by justices of the peace.

H. 687. To conserve and save from depletion the public oyster reefs of Alabama, and to further regulate the taking of oysters from the public reefs of the State, and for the protection of

and extension of such reefs, and the development of the oyster industry, to declare such oysters the property of the State and to prescribe the condition under which such title may be divested and such oysters become articles of commerce, to provide for the payment of a license and tax by those catching, selling, or transporting the same, the rules of evidence on the trials of those violating the provisions of this act, who may try such cases, provide penalties for the violation of this act, and that all expenses incurred in carrying the provisions of same into effect shall be paid out of the oyster fund.

REPORT OF SPECIAL COMMITTEE APPOINTED TO INVESTIGATE
AND REPORT ON THE MERCY HOME AND INDUSTRIAL
SCHOOL FOR GIRLS.

To the Senate and House of Representatives of Alabama:

We, your committee appointed to investigate and report on the Mercy Home and Industrial School for girls of Birmingham, beg to make the following report:

On August 18 we visited this institution and found Mrs. Cory and Mrs. Jordan, the superintendent, in charge. They showed us all the courtesy that could be and carried us through the building, which is well kept. We found thirty-two girls in this institution, who were busy doing ironing and general house work. All seemed to be happy and proud of their home and surroundings. The entire building, sleeping rooms, dining and cook room, yard, and general surroundings have an air of industry and refinement that any parent could feel satisfied about their children under these influences. They do gardening, poultry raising, and have a well-kept flower yard.

We would recommend that this school become a State institution and be supported liberally and money appropriated in keeping with the bills that already have been introduced in the Legislature. We would recommend that the alms house property that joins be purchased, if it could be, and made part of this institution. There is a splendid work being done at this school and a splendid future is before it.

Would also recommend that the name be so changed that there will not be any confusion in the minds of the public between the work of the Alabama Training School for Girls, which is altogether a different class institution, taking girls who have not become wayward and in a different class, but who would like to become so by being left homeless by death of parents or deserted, and other unfortunate circumstances would be left helpless and dependent. Every child in this school should be accompanied by a certificate from some one with authority, stating that the child was the proper one to be in this institution and save duplication from other schools.

S. W. Hawkins,

J. D. Truss,

On the part of the House.

Watt T. Brown,

On the part of the Senate.

SPECIAL COMMITTEE REPORT.

The above report was read at length and referred to the Standing Committee on Rules.

REPORT OF SPECIAL COMMITTEE APPOINTED TO INVESTIGATE
ALABAMA TRAINING SCHOOL FOR GIRLS.

To the Senate and House of Representatives of Alabama:

We, your committee, appointed to investigate and make report on the Alabama Training School for Girls seventeen miles east of Birmingham, beg to make the following report:

On August 18, your committee visited this institution. It is located on a beautiful pike road. We were shown every courtesy on arriving at the home; were met by Mrs. S. D. Weakley, Mrs. Amigh, matron, and Dr. Dowling, county health officer of Jefferson county, who gave us all the information asked for and all courtesies that could be shown.

We found forty-eight inmates in the institution, who seemed to be satisfied and at home. It was about the noon hour and all were preparing and eating dinner and seem not to be disturbed by our presence. The State owns this very valuable property of some six hundred acres of land. We were told that more than one hundred thousand dollars had been spent on improvements on the property, which we have no reason to doubt from the buildings and general improvements. There is great good to be accomplished in the working out of this institution's plans.

We would recommend that as much as fifty thousand dollars be appropriated for buildings and general improvements to be used as the trustees would see fit to use it for, and twenty-five thousand dollars in addition for the buying and taking care of milch cows, and the building of green houses and flower gardens, and the appropriation of twenty-five or thirty dollars per capita for each inmate and the general expenses of up-keep. Also would recommend that the farm land not in use by the institution be leased or rented to some one. Also would recommend that land not needed be sold and the proceeds used in the maintenance and up-keep.

This institution could be run with a view to accomplish its main purposes, namely: The taking care and reforming wayward or fallen girls, but should be made self-sustaining as far as possible. Cows should be had to furnish sufficient butter and milk to run the institution, and after giving the matter careful consideration, would recommend that green houses and flower gardens should be provided which would give employment to the girls when they are not in school; this being the kind of work that girls naturally love to do and will cause them to be satisfied and forget themselves. Birmingham will furnish a splendid market for the products at a good profit and the girls will be taught the growing and the sale of flowers, which will be an education and business combined and will furnish a trade and position when they leave the institution. We would further recommend that the name of the institution be changed so that it would not be confused in the minds of the public with any other institution doing different work in the State. Also would recommend that no girl under twelve years of age be put in this institution, and that every girl entering this school should be accompanied by a certificate from some reputable designated doctor, giving the age, history of the person, and health condition, with such recommendation as he would feel justified in offering in the person entering this institution.

Watt T. Brown,
On the part of the Senate.
S. W. Hawkins,
J. D. Truss,
On the part of the House.

SPECIAL COMMITTEE REPORT.

The foregoing report was read at length and referred to the Standing Committee on Rules.

BILLS ON THIRD READING RESUMED.

The bill:

S. 440. To abolish the office of registrar of voters and electors in each county of the State, and to confer upon the register in chancery of each county all the power and authority now vested in the registrar relative to the registration of electors and voters, and to provide that all persons may register at any time during the year except as hereinafter provided, upon application to the register in chancery, if he be otherwise a qualified elector under the Constitution and laws of Alabama, and to provide for the payment of the fee to the register in chancery for each person registered, to be paid out of the county treasury upon certificate to such effect, signed by the register in chancery, and upon warrant drawn by the president of the board of revenue, or the chairman of the court of county commissioners.

Was taken up.

Mr. West offered the following amendment to said bill, to-wit:

Amend Senate bill No. 440 by adding at the end of section 4:

That nothing in this act shall apply to counties having a population of one hundred and fifty thousand, according to the last or any subsequent Federal census.

Which was adopted.

Yeas, 24; nays, 0.

Yeas:

Messrs:

Acker	Craft	Huddleston	Prestwood
Baker	Ellis	Kelly	Rogers (Lauderdale)
Beale	Espy	Miller	Sims
Bedsole	Evins	Moore	Smith (Coosa)
Briscoe	Gunter	Morris	Smith (Lawrence)
Carlton	Harper	McDowell	West

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Nays:—None.

Mr. Craft offered the following amendment to said bill, to-wit:

Amend Senate bill No. 440 by striking out the following words in the last sentence of section 4:

"One hundred and fifty thousand," and insert in lieu thereof the following: "Eighty-two thousand or over" or any succeeding Federal census.

Which was adopted.

Yeas, 25; nays, 0.

Yeas:

Messrs:

Acker	Ellis	Kelly	Rogers (Lauderdale)
Baker	Espy	Miller	Rogers (Sumter)
Beale	Evins	Moore	Sims
Bedsole	Gunter	Morris	Smith (Coosa)
Briscoe	Harper	McDowell	Smith (Lawrence)
Carlton	Huddleston	Prestwood	West
Craft			

—25

Nays:—None.

Pending the further consideration of said bill and amendments:

ADJOURNMENT.

On motion of Mr. Morris and pursuant to S. J. R. 124, the Senate at 6:20 o'clock P. M., adjourned until Tuesday morning at 10 o'clock A. M.

FORTY-FIRST DAY.

Tuesday, September 2, 1919.

The Senate met pursuant to adjournment, Lieutenant Governor Miller presiding.

PRAYER.

By Rev. Dr. Barnett, of Birmingham.

ROLL CALL.

Present:

Mr. President and

Messrs:

Acker	Cowan	Kelly	Prestwood
Baker	Craft	Leith	Rogers (Lauderdale)
Beale	Ellis	Miller	Rogers (Sumter)
Bedsole	Espy	Moore	Sims
Briscoe	Evins	Morris	Smith (Coosa)
Brown	Griffith	McDowell	Smith (Lawrence)
Butler	Gunter	Nance	Tally
Carlton	Harper	Phillips	West
Carmichael	Huddleston		

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JOURNAL.

On motion of Mr. Smith of Coosa, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

INTRODUCTION OF BILLS.

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Brown:

S. 623. To propose an amendment to section 256 of the Constitution of the State of Alabama, relating to the apportionment of the public school fund of the State; and providing for an election upon said proposed amendment.

Constitution and Constitutional Revisions and Amendments.

By Mr. Kelly:

S. 624. To provide for the support and maintenance of, and to prescribe the course of study for the State Normal School located at Daphne, Alabama.

Finance and Taxation.

By Mr. Miller:

S. 625. To further prescribe the authority and duties of the attorney general and to transfer to the attorney general all work of a legal nature for the several officers, departments, boards and institutions of the State which is now authorized to be performed by attorneys at law selected by the heads of such departments, boards and institutions; and to repeal all laws in conflict.

Revision of Laws.

By Mr. Craft:

S. 626. To provide a method by which municipalities may assume the management, supervision and control of any street or part of street, which is or may hereafter be, under the management, supervision or control of the courts of county commissioners or boards of revenue and road commissioners.

Municipalities and Municipal Organizations.

By Mr. Rogers of Sumter:

S. 627. Special appropriation for erection and equipment of two buildings for the Alabama insane hospitals on the grounds of the Bryce hospital at Tuscaloosa.

Finance and Taxation.

By Mr. Gunter:

S. 628. To provide for the relief of the city of Montgomery, Alabama, of the sum of \$8,901.62 for paving with asphalt of the roadway of Bainbridge, Washington and Union Streets adjoining the State capitol and to authorize the payment of the same.

Finance and Taxation.

With notice and proof attached and herewith exhibited as follows:

State of Alabama, }
 Montgomery County. }

I, Milton Y. Hood, manager Want Ad Department of the Montgomery Journal, a newspaper published in the city of Montgomery, hereby certify that the attached clipping is a true copy of an advertisement published in said Montgomery Journal on February 5th, 12th, 19th and 26th, 1919;

NOTICE.

Notice is hereby given that a bill will be introduced in the 1919 term of the Legislature of the State of Alabama in substance as follows, to-wit:

AN ACT

To provide for the relief of the city of Montgomery, Alabama, of the sum of \$8,901.62 for paving with asphalt of the roadway of Bainbridge, Washington and Union streets adjoining the State Capitol and to authorize the payment of the same.

Be it enacted by the Legislature of Alabama:

Section 1. That the sum of eighty-nine hundred one and 62/100 dollars, (\$8,901.62) be and is hereby appropriated out of the State treasury for the relief of the city of Montgomery, Alabama, for the paying of the roadway of Bainbridge street from Monroe street to Washington street amounting to \$2,844.89, also the roadway of Washington street from Bainbridge street to Union street amounting to \$2,235.75, and the roadway of Union street from Washington street to Monroe street, amounting to \$3,820.98, these streets having been heretofore paved with asphalt.

Section 2. Be it further enacted: That the State auditor is hereby authorized and required to draw his warrant on the State treasurer for the amount appropriated in section 1 of this act, payable to the city of Montgomery, Alabama.

L. A. Sanderson,
 City Attorney.

Witness my hand this the 21st day of August, 1919.

Milton Y. Hood,
 Mgr. Want Ad Dept. of Montgomery Journal.

Montgomery County, }
 State of Alabama. }

I, L. A. Sanderson, a notary public, in and for said State and county, appeared Milton Y. Hood, who is known to me to be the manager Want Ad of the Montgomery Journal, a newspaper published in the city of Montgomery, personally appeared before me on this day and on oath states that he is informed of the contents of this certificate, and that the same voluntarily is true and correct.

Subscribed and sworn to before me this the 21st day of August, 1919.

L. A. Sanderson,
 Notary Public, Montgomery County, Alabama.

By Mr. Gunter:

S. 629. To provide for the relief of the city of Montgomery, Alabama, of the sum of \$862.14 for paving the sidewalks of the State Normal School on South Jackson street and to authorize the payment of the same.

Finance and Taxation.

With notice and proof attached and herewith exhibited as follows:

State of Alabama, }
Montgomery County. }

I, Milton Y. Hood, manager Want Ad Department of the Montgomery Journal, a newspaper published in the city of Montgomery, hereby certify that the attached clipping is a true copy of an advertisement published in said Montgomery Journal on February 5th, 12th, 19th and 26th, 1919;

NOTICE.

Notice is hereby given that a bill will be introduced in the 1919 term of the Legislature of the State of Alabama in substance as follows, to-wit:

AN ACT

To provide for the relief of the city of Montgomery, Alabama, of the sum of \$862.14 for paving the sidewalks of the State Normal School on South Jackson street, and to authorize the payment of the same.

Be it enacted by the Legislature of Alabama:

Section 1. That the sum of eight hundred sixty-two and 14/100 dollars (\$862.14) be and is hereby appropriated out of the State treasury for the relief of the city of Montgomery, Ala., for the paving of the sidewalks in front of the State Normal School on South Jackson street in the city of Montgomery.

Section 2. Be it further enacted: That the State auditor is hereby authorized and required to draw his warrant on the State treasurer for the amount appropriated in section 1 of this act, payable to the city of Montgomery.

L. A. Sanderson,
City Attorney.

Witness my hand this the 21st day of August, 1919.

Milton Y. Hood,
Mgr. Want Ad Dept. of Montgomery Journal.

Montgomery County, }
State of Alabama. }

I, L. A. Sanderson, a notary public, in and for said State and county, appeared Milton Y. Hood, who is known to me to be the manager Want Ad of the Montgomery Journal, a newspaper published in the city of Montgomery, personally appeared before me on this day and on oath states that he is informed of the contents of this certificate, and that the same voluntarily is true and correct.

Subscribed and sworn to before me this the 21st day of August, 1919.

L. A. Sanderson,
Notary Public, Montgomery County, Alabama.

By Mr. Carmichael:

S. 630. To amend section 1678 of the Code of Alabama of 1907.

Finance and Taxation.

Also:

S. 631. To amend section 8 of an act "To provide for the acceptance of the benefits of an act passed by the Senate and House of Representatives of the United States of America in

Congress assembled, to provide for the promotion of vocational education; to provide for the appointment of a State board of vocational education; and to provide for the duties thereof; and to make appropriations for vocational education," approved February 15, 1919.

Finance and Taxation.

Also:

S. 632. To make an appropriation to the Alabama illiteracy commission or to the State board of education, if created, for the removal of illiteracy in Alabama.

Finance and Taxation.

Also:

S. 633. To make an appropriation for the maintenance and supervision of county high schools.

Finance and Taxation.

Also:

S. 634. To change the name of each of the nine branch district agricultural schools and experiment stations and to make appropriations for their maintenance and support.

Finance and Taxation.

Also:

S. 635. To change the name of the northeast Alabama agricultural and industrial institute at Lineville and to make an appropriation for its maintenance and support.

Finance and Taxation.

Also:

S. 636. To provide for the making of appropriations to the Alabama school of trades and industries at Ragland, Alabama.

Finance and Taxation.

Also:

S. 637. To make appropriations to the State normal schools for white teachers located at Florence, Jacksonville, Livingston, Troy, Daphne, and Moundville.

Finance and Taxation.

Also:

S. 638. To make an appropriation for the State normal school for colored teachers located at Montgomery.

Finance and Taxation.

Also:

S. 639. To make an appropriation to Tuskegee Normal and Industrial Institute.

Finance and Taxation.

Also:

S. 640. To make an appropriation to the Alabama Girls' Technical Institute.

Finance and Taxation.

Also:

S. 641. To make appropriations to the University of Alabama.

Finance and Taxation.

Also:

S. 642. To amend sections 1941 and 1942 of article 26 of the Code of Alabama of 1907.

Finance and Taxation.

Also:

S. 643. To make appropriations to the Alabama Polytechnic Institute.

Finance and Taxation.

Also:

S. 644. To amend section 1946 of article 27 of the Code of Alabama of 1907.

Finance and Taxation.

Also:

S. 645. To amend section 1952 of article 28 of the Code of Alabama of 1907.

Finance and Taxation.

Also:

S. 646. To make appropriations to the Alabama Boys' Industrial School.

Finance and Taxation.

Also:

S. 647. To amend an act entitled an act "To create and establish a reform school for the training of juvenile negro law-breakers at Mt. Meigs, Alabama; to make appropriations for the purpose, and accept by donation all such lands and buildings as are needful therefor; to create a board of trustees, and to provide for the suitable management of said institution." Approved April 24, 1911.

Finance and Taxation.

Also:

S. 648. To make an appropriation for the benefit of those counties that may be levying and collecting a special county school tax during any fiscal year, and to provide for the expenditure of the funds set apart for any county by the county board of education.

Finance and Taxation.

Also:

S. 649. To make an appropriation for the erection, repair and equipment of rural schoolhouses.

Finance and Taxation.

Also:

S. 650. To provide for changing the name and for making an appropriation to the Huntsville State Normal and Industrial School.

Finance and Taxation.

By Mr. Brown:

S. 651. To amend an act approved February 14, 1919, entitled, "An act to provide for extension work in agriculture and home economics by giving instruction to men, women, and young people in the several counties in Alabama, by continuing and improving farm demonstration work, by organizing marketing clubs, by organizing and supervising boys' corn and pig clubs, girls' canning clubs, women's clubs in home economics and by conducting other extension work through other means, all with a view to making farm life more profitable and attractive; to secure for Alabama the full amount of the funds conditionally appropriated by Congress under the Smith-Lever Extension Act for extension work in agriculture and home economics; and to make appropriations for these purposes."

Finance and Taxation.

REPORTS OF COMMITTEES.

Mr. Espy, chairman of the Standing Committee on Agriculture, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Austin:

H. 120. To prohibit the running at large of animals of the cow kind which are not branded or marked; prescribing a penalty for the violation thereof.

Mr. Nance, chairman of the Standing Committee on Public Buildings and Grounds, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Rogers of Sumter:

S. 599. To make an appropriation for the improvement of the State capitol building and grounds and for the acquisition by condemnation or purchase of any real estate necessary or beneficial in improving the present capitol grounds, and for the erection or acquisition of any necessary additional building or buildings for the use of the State, and to provide a building commission to have control and supervision of same.

Mr. Acker, chairman of the Standing Committee on Judiciary, reported that said committee, in session, had acted on the

following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Benners:

H. 786. To amend section 16 of an act entitled, "An act to further prescribe and regulate the qualifications, number, designation, duties and powers of the circuit judges of the State and to provide for their election and appointment," approved September 25th, 1915.

REPORT OF COMMITTEE ON ENGROSSED BILLS.

Mr. President:

Your Standing Committee on Engrossed Bills, beg leave to report that said committee, in session, have examined and compared the following engrossed bills with the originals and find same correctly engrossed, to-wit:

S. 206. To amend sections 3, 4 and 5 of an act entitled, "An act to create a State harbor commission to be known as the 'State harbor commission,' define its jurisdiction, powers and duties and prescribe the mode of procedure and penalties for violation of this act, and to repeal all laws in conflict therewith." Approved September 25th, 1915.

S. 369. To authorize and empower the court of county commissioners, the board of revenue, or other governing body of the several counties of this State to issue interest-bearing warrants of the county in settlement of debts or other obligations incurred in the construction or maintenance of public roads or money borrowed for tick eradication or necessary public buildings, or as a security for money borrowed for the payment of such debt or obligation and to issue and sell interest-bearing warrants to secure funds for the payment of such debt or obligation and to regulate and prescribe the method of issuing such interest-bearing warrants.

S. 547. To authorize municipal corporations having a population of not less than 6,689 inhabitants nor more than 7,000 inhabitants according to the last Federal census or any subsequent Federal census that may be hereafter taken, to improve streets and sidewalks and sections of streets and sidewalks, by the construction of electric lighting systems known as "White Ways," and charge the expense thereof to the abutting property owners, provided the cost of such construction shall not be in excess of the increased value of said property charged with such improvement, and provided such lighting system shall not apply to nor include overhead street lighting; and to provide for such municipal corporations to maintain such lighting systems after

they have been established, and to provide and pay for the cost of the current and expense of such maintenance thereafter.

R. B. Evins,
Chairman.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has concurred in and adopted the conference report on the disagreement of the two houses on the House amendments to the bill:

S. 443. To amend sections 2 and 3 of an act entitled "An act to establish a board of revenue for Shelby county, and to abolish the court of county commissioners thereof," passed at the session of 1911, being in Local Acts of Alabama, page 154, said amendment making the president and members of said board elective by the qualified voters of said county, and fixing the term of office of said president and members of said board and the time of their election and providing that in case of a vacancy in the office of president or a member of said board, the vacancy shall be filled by election by a majority of the members of the board, for the unexpired term; and providing further that the president and members of the board now holding office shall hold their said office until their successors are elected and qualified under the provisions of this act.

Fred H. Gormley,
Clerk.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has originated and passed the following bills:

H. 401. To create a State highway department; to define its powers and duties; to authorize State aid in the construction and maintenance of public roads and bridges; to create a State highway fund and to provide for its expenditure; to impose certain duties upon county and municipal officials and to provide a penalty for their failure to discharge same; to authorize the State highway department to work State convicts upon public roads and bridges as is now or may hereafter be provided by law; to assent to the act of Congress approved July 11, 1916, known as the "Federal aid law" and to authorize the State highway department to co-operate with the United States government in the construction and maintenance of rural post roads; and to repeal the act approved April 5, 1911, entitled, "An act to provide for the creation of a State highway commission, defining its powers, duties and compensations, and methods to be adopted for control of same and for appropriations and maintenance of the same and to give State aid and State supervision over all public roads, cul-

verts and bridges of the State for construction of a permanent nature and the maintenance thereof wherein any portion of the appropriation hereinafter made shall be used for such purpose; and to make an appropriation therefor out of the net revenue of the convict fund of the State and from other sources."

Also:

H. 435. To submit to the qualified electors of the State, at the general election to held in November, 1920, for their consideration, an amendment to the Constitution for the purpose of ~~authorizing the several counties of the State to levy and collect~~ a special road tax, not exceeding fifty cents, on each one hundred dollars worth of taxable property in such counties, under such regulations as the Legislature may have prescribed or may hereafter prescribe.

And sends same herewith to the Senate.

Fred H. Gormley,
Clerk.

HOUSE MESSAGE.

The House bills in the foregoing House message were severally read once and referred to appropriate standing committees, as follows:

H. 401. To the Committee on Public Roads and Highways.

H. 435. To the Committee on Constitution and Constitutional Revision and Amendments.

ORDER TO PRINT.

On motion of Mr. McDowell, the Secretary was directed to have 200 copies of each of the bills:

S. 630. To amend section 1678 of the Code of Alabama of 1907.

Also:

S. 631. To amend section 8 of an act "To provide for the acceptance of the benefits of an act passed by the Senate and House of Representatives of the United States of America in Congress assembled, to provide for the promotion of vocational education; to provide for the appointment of a State board of vocational education; and to provide for the duties thereof; and to make appropriations for vocational education," approved February 15, 1919.

Also:

S. 632. To make an appropriation to the Alabama illiteracy commission or to the State board of education, if created, for the removal of illiteracy in Alabama.

Also:

S. 633. To make an appropriation for the maintenance and supervision of county high schools.

Also:

S. 634. To change the name of each of the nine branch district agricultural schools and experiment stations and to make appropriations for their maintenance and support.

Also:

S. 635. To change the name of the Northeast Alabama Agricultural and Industrial Institute at Lineville and to make an appropriation for its maintenance and support.

Also:

S. 636. To provide for the making of appropriations to the Alabama School of Trades and Industry at Ragland, Alabama.

Also:

S. 637. To make appropriations to the State normal schools for white teachers located at Florence, Jacksonville, Livingston, Troy, Daphne, and Moundville.

Also:

S. 638. To make an appropriation for the State Normal School for colored teachers located at Montgomery.

Also:

S. 639. To make an appropriation to Tuskegee Normal and Industrial Institute.

Also:

S. 640. To make an appropriation to the Alabama Girls' Technical Institute.

Also:

S. 641. To make appropriations to the University of Alabama.

Also:

S. 642. To amend sections 1941 and 1942 of article 26 of the Code of Alabama of 1907.

S. 643. To make appropriations to the Alabama Polytechnic Institute.

Also:

S. 644. To amend section 1946 of article 27 of the Code of Alabama of 1907.

Also:

S. 645. To amend section 1952 of article 28 of the Code of Alabama of 1907.

Also:

S. 646. To make appropriation to the Alabama Boys' Industrial School.

Also:

S. 647. To amend an act entitled an act "To create and establish a reform school for the training of juvenile negro law-

breakers at Mt. Meigs, Alabama; to make appropriations for the purpose, and accept by donation all such lands and buildings as are needful therefor; to create a board of trustees, and to provide for the suitable management of said institution." Approved April 24, 1911.

Also:

S. 648. To make an appropriation for the benefit of those counties that may be levying and collecting a special county school tax during any fiscal year, and to provide for the expenditure of the funds set apart for any county by the county board of education.

Also:

S. 649. To make an appropriation for the erection, repair and equipment of rural schoolhouses.

Also:

S. 650. To provide for changing the name and for making an appropriation to the Huntsville State Normal and Industrial School.

Printed for the use of the Senate.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has amended, and as amended, has passed the following Senate bills:

S. 399. To fix the salary of the several judges of the Court of Appeals.

Also:

S. 400. To fix the salary of the several circuit judges in Alabama.

And returns same herewith to the Senate.

Fred H. Gormley,
Clerk.

HOUSE MESSAGE.

On motion of Mr. Evins, the Senate non-concurred in the following amendment by the House to Senate bill 399, the title of which is set out in the foregoing message from the House, to-wit:

Strike out the words \$7,500.00 where they appear and insert the figures \$6,000.00.

And requests a Committee of Conference.

Pursuant to such requests, the President of the Senate appointed as conferees on the part of the Senate, Messrs. Evins and Craft.

And on motion of Mr. Evins, Senate bill No. 400, the title of which is set out in the foregoing message from the House, to-

gether with the House amendment thereto, was laid on the Secretary's desk and postponed for future consideration.

BILLS ON THIRD READING.

The bill:

S. 382. To regulate and provide for the military forces of the State of Alabama, and to promote its efficiency; to prescribe rules, regulations and means for its organization, armament, equipment, discipline, control and supervision; to provide for its maintenance, support and upkeep; to provide means for the enforcement of this act; and to fix penalties and punishments for the violation of this act.

Was taken up.

Mr. Smith of Coosa offered the following amendment to said bill, to-wit:

Amend section 41 of Senate bill No. 382 by inserting after the words: "military expenses" the words "or expenditures of a general nature as may be to the interest or benefit of the National Guard."

Which was adopted.

Yeas, 23; nays, 0.

Yeas:

Messrs:

Acker	Cowan	Harper	Prestwood
Baker	Craft	Miller	Rogers (Sumter)
Beale	Ellis	Moore	Sims
Briscoe	Espy	McDowell	Smith (Coosa)
Carlton	Evins	Nance	Smith (Lawrence)
Carmichael	Gunter	Phillips	

—23

Nays:—None.

The Standing Committee on Military offered the following amendments to said bill, to-wit:

Amend section 8 of Senate bill No. 382 by eliminating after the words "required of him by the commander-in-chief" the words "He shall receive a salary of \$3,600.00 per annum" and substituting therefor the words "He shall receive a salary of \$3,000.00 per annum."

Amend section 9 of Senate bill No. 382 by inserting after the words "in the custody of the State" the following words "and shall transmit to the governor at said time a detailed report of all funds and moneys received and disbursed by his department."

Amend section 19 of Senate bill No. 382 by inserting after the words "ordered under the provisions of this act" the words "provided that leaves of absence granted under the provisions of this section shall not exceed fifteen (15) days at any one time."

Amend section 23 of Senate bill No. 382 by striking therefrom after the words "when not furnished by the State" the words "and the actual cost of subsistence."

Which was adopted.

Yeas, 22; nays, 0.

Yeas:

Messrs:

Acker	Carmichael	Gunter	McDowell
Baker	Cowan	Harper	Nance
Beale	Craft	Kelly	Sims
Briscoe	Ellis	Miller	Smith (Coosa)
Brown	Espy	Moore	Smith (Lawrence)
Carlton	Evins		

—22

Nays:—None.

And said bill, as thus amended, was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 22; nays, 0.

Yeas:

Messrs:

Acker	Cowan	Harper	Phillips
Baker	Craft	Kelly	Prestwood
Beale	Ellis	Miller	Rogers (Sumter)
Briscoe	Espy	McDowell	Smith (Coosa)
Carlton	Evins	Nance	Smith (Lawrence)
Carmichael	Gunter		

—22

Nays:—None.

The bill:

H. 381. To authorize the court of county commissioners of DeKalb county, Alabama, to levy a special tax of three-twentieths of one per cent on all taxable property in DeaKlb county for the purpose of repairing and maintaining the public roads of said county.

Was read a third time at length and passed.

Yeas, 25; nays, 0.

Yeas:

Messrs:

Acker	Cowan	Gunter	McDowell
Baker	Craft	Harper	Nance
Beale	Ellis	Kelly	Phillips
Briscoe	Espy	Leith	Prestwood
Brown	Evins	Miller	Smith (Coosa)
Carlton	Griffith	Moore	Smith (Lawrence)
Carmichael			

—25

Nays:—None.

The bill:

H. 638. To declare the public road leading from Brewton, Alabama, to Monroeville, Alabama, a part of the State highway system.

Was read a third time at length and passed.

Yeas, 25; nays, 0.

Yeas:

Messrs:

Acker	Cowan	Gunter	Nance
Baker	Craft	Harper	Phillips
Beale	Ellis	Kelly	Prestwood
Briscoe	Espy	Leith	Rogers (Sumter)
Brown	Evins	Moore	Sims
Carlton	Griffith	McDowell	Smith (Coosa)
Carmichael			

—25

Nays:—None.

The bill:

S. 490. To close and abandon certain described portions of certain streets, avenues, alleys, etc., in the city of Sheffield, county of Colbert, and State of Alabama, and certain wharves, docks, landing places and other public places within the said city of Sheffield, county of Colbert and the State of Alabama.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 25; nays, 0.

Yeas:

Messrs:

Acker	Cowan	Gunter	Phillips
Baker	Craft	Harper	Prestwood
Beale	Ellis	Leith	Rogers (Sumter)
Briscoe	Espy	Miller	Sims
Brown	Evins	Moore	Smith (Coosa)
Carlton	Griffith	McDowell	Smith (Lawrence)
Carmichael			

—25

Nays:—None.

The bill:

S. 515. To amend section 3860 of the Civil Code of Alabama so as to authorize and provide the procedure for suits by the State of Alabama for the condemnation of lands for public uses.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 25; nays, 0.

Yeas:

Messrs:

Acker	Cowan	Harper	Nance
Baker	Craft	Kelly	Phillips
Beale	Ellis	Leith	Prestwood
Briscoe	Evins	Miller	Sims
Brown	Griffith	Moore	Smith (Coosa)
Carlton	Gunter	McDowell	Smith (Lawrence)
Carmichael			

—25

Nays:—None.

The bill:

H. 712. To provide for the consolidation of adjacent or contiguous cities having each a population between four thousand and six thousand five hundred, according to the last preceding official and published Federal census, and to provide for the organization and officers of such consolidated city.

Was taken up.

Mr. Griffith offered the following amendment to said bill: Amendment to House bill No. 712:

Section Two. That when petitions from each of said cities signed by ten per cent of the number of qualified voters in each of said cities shall be presented to the judge of probate of the county in which said cities are located within a period of ten days, he shall, within five days from and after the presentation of the last said petition, order an election to be held in each of said cities for the purpose of submitting the question of the consolidation of the said cities to the qualified voters in each of said cities; provided, however, that no election can be held under authority of this act unless held within ninety days from and after the approval of this act; and, provided further, that if an election is held under the authority of this act within said time, and if, at said election, a majority of the qualified voters in either of said cities shall vote against consolidation of said cities, the judge of probate shall so declare and publish that said cities did not consolidate at said election, and shall dismiss all of said petitions, and all proceedings referring thereto; and provided further, that if, at any election held on the question of consolidation under authority of this act, a majority of the qualified voters in either of said cities vote against consolidation, that no subsequent election can be held until one year after the date of the last preceding election of said question, and not then unless a majority of the qualified voters of each of said cities petition the judge of probate for said election.

Which was adopted.

Yeas, 25; nays, 0.

Yeas:

Messrs:

Acker	Cowan	Gunter	Nance
Baker	Craft	Harper	Phillips
Beale	Ellis	Kelly	Prestwood
Briscoe	Espy	Leith	Sims
Brown	Evins	Moore	Smith (Coosa)
Carlton	Griffith	McDowell	Smith (Lawrence)
Carmichael			

—25

Nays:—None.

And said bill, as thus amended, was read a third time at length and passed.

Yeas, 27; nays, 0.

Yeas:

Messrs:

Acker	Cowan	Harper	Phillips
Baker	Craft	Kelly	Prestwood
Beale	Ellis	Leith	Rogers (Sumter)
Briscoe	Espy	Miller	Sims
Brown	Evins	Moore	Smith (Coosa)
Carlton	Griffith	McDowell	Smith (Lawrence)
Carmichael	Gunter	Nance	

—27

Nays:—None.

UNFINISHED BUSINESS.

The Senate proceeded to consider the unfinished business of the last legislative day, which was:

S. 440. To abolish the office of registrar of voters and electors in each county of the State, and to confer upon the register in chancery of each county all the power and authority now vested in the registrar relative to the registration of electors and voters; and to provide that all persons may register at any time during the year except as hereinafter provided, upon application to the register in chancery, if he be otherwise a qualified elector under the Constitution and laws of Alabama, and to provide for the payment of the fee to the register in chancery for each person registered, to be paid out of the county treasury upon certificate to such effect, signed by the register in chancery, and upon warrant drawn by the president of the board of revenue or the chairman of the court of county commissioners.

As amended on the last legislative day.

And said bill, as amended, was read a third time at length and passed, and ordered sent to the House without engrossment.

Yeas, 23; nays, 3.

Yeas:

Messrs:

Acker	Carmichael	Gunter	McDowell
Baker	Cowan	Harper	Prestwood
Beale	Craft	Kelly	Smith (Lawrence)
Briscoe	Ellis	Leith	Tally
Butler	Evins	Miller	West
Carlton	Griffith	Moore	

—23

Nays:

Messrs:

Nance	Phillips	Smith (Coosa)
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—3

The bill:

H. 753. To fix the compensation of grand and petit jurymen in counties having a population of not less than 80,000 nor more than 82,000, according to the last Federal census.

Was taken up.

Mr. Craft offered the following amendment to said bill:

Amend H. 753 by adding the words "or any subsequent Federal census" after the words "last Federal census" where they appear in the caption and body.

Which was adopted.

Yeas, 25; nays, 0.

Yeas:

Messrs:

Acker	Cowan	Gunter	Nance
Baker	Craft	Harper	Prestwood
Beale	Ellis	Kelly	Smith (Coosa)
Briscoe	Espy	Leith	Smith (Lawrence)
Butler	Evins	Moore	Tally
Carlton	Griffith	McDowell	West
Carmichael			

—25

Nays:—None.

And said bill, as thus amended, was read a third time at length and passed.

Yeas, 23; nays, 0.

Yeas:

Messrs:

Acker	Cowan	Harper	Nance
Baker	Craft	Kelly	Phillips
Beale	Ellis	Leith	Sims
Briscoe	Espy	Miller	Tally
Butler	Evins	Moore	West
Carlton	Griffith	McDowell	

—23

Nays:—None.

The bill:

H. 696. To fix the pay of grand jurors and petit jurors serving in the circuit court of Crenshaw county. To prescribe the manner of payment and to prescribe the duties of the circuit clerk and county treasurer of Crenshaw county under this act.

Was read a third time at length and passed.

Yeas, 24; nays, 0.

Yeas:

Messrs:

Acker	Carlton	Kelly	Phillips
Baker	Carmichael	Leith	Prestwood
Beale	Cowan	Miller	Sims
Briscoe	Evins	Moore	Smith (Lawrence)
Brown	Gunter	McDowell	Tally
Butler	Harper	Nance	West

—24

Nays:—None.

The bill:

H. 445. To further extend the power and authority of boards of revenue of counties having a population of more than one hundred thousand people, according to the last Federal census, or according to any subsequent Federal census, and particularly to authorize and empower such boards to appropriate money or funds out of the county treasury to aid in maintaining homes or institutions for aged women.

Was read a third time at length and passed.

Yeas, 29; nays, 0.

Yeas:

Messrs:

Acker	Cowan	Harper	Phillips
Baker	Craft	Kelly	Rogers (Sumter)
Beale	Ellis	Leith	Sims
Briscoe	Espy	Miller	Smith (Coosa)
Brown	Evins	Moore	Smith (Lawrence)
Butler	Griffith	McDowell	Tally
Carlton	Gunter	Nance	West
Carmichael			

—29

Nays:—None.

The bill:

H. 629. To amend section 1 of an act entitled, "An act to designate certain public roads of the State of Alabama as State trunk roads, and to provide the manner in which said roads shall be located, improved and maintained," approved September 10, 1915.

Was read a third time at length and passed.

Yeas, 29; nays, 0.

*Yeas:**Messrs:*

Acker	Cowan	Kelly	Prestwood
Baker	Craft	Leith	Rogers (Sumter)
Beale	Ellis	Miller	Sims
Briscoe	Espy	Moore	Smith (Coosa)
Brown	Griffith	Morris	Smith (Lawrence)
Butler	Gunter	McDowell	Tally
Carlton	Harper	Phillips	West
Carmichael			

—29

Nays:—None.**The bill:**

H. 787. To establish an inferior criminal court for Jefferson county, Alabama, to define the jurisdiction and powers of said court, the judge, clerk and other officers thereof; to provide for a place of holding said court, terms and salaries of said judge and officers of said court, the manner of their appointment and election, and the payment of their salaries.

Was read a third time at length and passed.

Yeas, 31; nays, 0.

*Yeas:**Messrs:*

Acker	Cowan	Kelly	Rogers (Lauderdale)
Baker	Craft	Leith	Rogers (Sumter)
Beale	Ellis	Miller	Sims
Briscoe	Espy	Moore	Smith (Coosa)
Brown	Evins	Morris	Smith (Lawrence)
Butler	Griffith	McDowell	Tally
Carlton	Gunter	Phillips	West
Carmichael	Harper	Prestwood	

—31

Nays:—None.**The bill:**

H. 449. To vacate the dedication of all streets, avenues and alleys through, over, on or across the following described property situated in the city of Birmingham, Jefferson county, Alabama, to-wit: That tract of land bounded on the north by Avenue "B," or Second avenue, south; on the east by Ninth street and the right-of-way of the Louisville & Nashville Railroad Company; on the south by the right-of-way of the Louisville & Nashville Railroad Company and Avenue "D" or Fourth avenue, south, on the west by seventh street.

Was read a third time at length and passed.

Yeas, 28; nays, 0.

Yeas :

Messrs:

Acker	Carmichael	Kelly	Phillips
Baker	Cowan	Leith	Prestwood
Beale	Craft	Miller	Sims
Briscoe	Ellis	Moore	Smith (Coosa)
Brown	Espy	Morris	Smith (Lawrence)
Butler	Griffith	McDowell	Tally
Carlton	Harper	Nance	West

—28

Nays :—None.

The bill:

H. 773. To authorize the court of county commissioners of the county of Conecuh in the State of Alabama to appropriate out of the funds in the treasury of said county, an amount not exceeding one hundred dollars per annum, sufficient to pay the premium for making and insuring the bond of the tax collector of said county where such bond is made and insured by a duly qualified guarantee company.

Was read a third time at length and passed.

Yeas, 25; nays, 0.

Yeas :

Messrs:

Acker	Carmichael	Leith	Prestwood
Baker	Cowan	Miller	Sims
Beale	Craft	Moore	Smith (Coosa)
Briscoe	Griffith	Morris	Smith (Lawrence)
Brown	Harper	McDowell	Tally
Butler	Kelly	Nance	West
Carlton			

—25

Nays :—None.

The bill:

H. 463. To amend section one of an act entitled "An act to designate certain public roads of the State of Alabama as State trunk roads and to provide the manner in which such roads shall be located, improved and maintained," approved September 10th, 1915.

Was read a third time at length and passed.

Yeas, 29; nays, 0.

Yeas :

Messrs:

Acker	Butler	Espy	Kelly
Baker	Carlton	Evins	Leith
Beale	Carmichael	Griffith	Miller
Briscoe	Cowan	Gunter	Moore
Brown	Craft	Harper	Morris

McDowell
Nance
Phillips

Prestwood
Sims

Smith (Coosa)
Smith (Lawrence) West

—29

Nays:—None.

The bill:

H. 581. To amend an act approved September 10, 1915, entitled, "An act to designate certain public roads in the State of Alabama as State trunk roads, and to provide the manner in which such roads shall be located, improved and maintained," and the several acts amendatory thereof.

Was read a third time at length and passed.

Yeas, 31; nays, 0.

Yeas:

Messrs:

Acker
Baker
Beale
Briscoe
Brown
Butler
Carlton
Carmichael

Cowan
Craft
Ellis
Espy
Evins
Griffith
Gunter
Harper

Kelly
Leith
Miller
Moore
Morris
McDowell
Nance
Phillips

Prestwood
Rogers (Sumter)
Sims
Smith (Coosa)
Smith (Lawrence)
Tally
West

—31

Nays:—None.

The bill:

S. 526. To provide for the appointment of deputy circuit solicitors in all circuits in this State having more than five circuits judges, to fix their compensation and to provide the way and manner of paying the same.

Was taken up.

The Standing Committee on Judiciary offered the following substitute for said bill, to-wit:

AN ACT

To provide for the appointment of deputy circuit solicitors in all circuits in this State having more than five circuit judges, to fix their compensation and to provide the way and manner of paying the same.

Be it enacted by the Legislature of Alabama:

Section 1. That in all circuits in this State having more than five circuit judges, the solicitor may appoint four deputy circuit solicitors who shall be paid the following salaries, in the following manner, whose duty it shall be to prosecute in the circuit court of said circuit:

That the first deputy circuit solicitor's salary shall remain as it is now fixed by law, and be payable as the law now directs its payment.

That the circuit solicitor is hereby required to supplement the salary now paid the second deputy circuit solicitor in a sum not to exceed twelve hundred dollars per annum, payable in equal monthly installments out of the solicitor's fund of said county, upon warrants drawn by said circuit solicitor upon the county treasurer.

That the circuit solicitor is hereby required to supplement the salary now paid the third deputy circuit solicitor in a sum not to exceed six hundred dollars per annum, payable in equal monthly installments out of the solicitor's fund of said county, upon warrants drawn by said circuit solicitor upon the county treasurer.

That the salary of the fourth deputy circuit solicitor shall be twenty-four hundred dollars per annum, payable in equal monthly installments out of the solicitor's fund of said county, upon warrants drawn by said circuit solicitor upon the county treasurer.

Provided, however, that if there are not sufficient funds in the solicitor's fund of said county to pay above amounts as provided herein, then the county treasurer is hereby required to pay said amounts out of the general fund of said county.

That this act shall take effect immediately upon its passage and approval.

Mr. West offered the following amendment to said substitute, to-wit:

To amend the caption of substitute bill No. 526 by adding after the word "judges" on the third line of said caption and before the word "to" on the third line of said caption the following:

"or which circuit may hereafter have more than five circuit judges" and

To amend section 1 of said act by adding after the word "judges" where same appears in the second line and before the word "the" the following:

"or which circuits may hereafter have more than five circuit judges."

Which was adopted.

And said committee substitute, as thus amended, was then adopted.

Yeas, 28; nays, 0.

Yeas:

Messrs:

Acker

Baker

Beale

Briscoe

Brown

Butler

Carlton

Carmichael

Cowan	Harper	McDowell	Sims
Craft	Kelly	Nance	Smith (Coosa)
Ellis	Miller	Phillips	Smith (Lawrence)
Espy	Moore	Prestwood	Tally
Evins	Morris	Rogers (Sumter)	West

—28

Nays:—None.

And said bill, as thus amended, was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 28; nays, 0.

Yeas:*Messrs*:

Acker	Carmichael	Kelly	Prestwood
Baker	Cowan	Leith	Rogers (Sumter)
Beale	Craft	Miller	Sims
Briscoe	Ellis	Moore	Smith (Coosa)
Brown	Espy	Morris	Smith (Lawrence)
Butler	Evins	McDowell	Tally
Carlton	Harper	Phillips	West

—28

Nays:—None.

The bill:

S. 383. To provide for the election of a county solicitor for Monroe county, to define his duties and fix his compensation.

Was taken up.

Mr. Kelly offered the following amendment to said bill:

Amend Senate bill 383 by striking out the words twelve hundred dollars (1200.00) where it appears in section 4, and insert in lieu thereof the words "nine hundred dollars (\$900.00).

Which was adopted.

Yeas, 27; nays, 0.

Yeas:*Messrs*:

Acker	Carmichael	Leith	Prestwood
Baker	Cowan	Miller	Rogers (Sumter)
Beale	Craft	Moore	Smith (Coosa)
Briscoe	Espy	Morris	Smith (Lawrence)
Brown	Evins	McDowell	Tally
Butler	Harper	Nance	West
Carlton	Kelly	Phillips	

—27

Nays:—None.

And said bill, as thus amended, was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 27; nays, 0.

Yeas:

Messrs:

Baker	Craft	Miller	Rogers (Sumter)
Beale	Ellis	Moore	Sims
Briscoe	Espy	Morris	Smith (Coosa)
Brown	Griffith	McDowell	Smith (Lawrence)
Butler	Harper	Nance	Tally
Carlton	Huddleston	Phillips	West
Cowan	Kelly	Prestwood	

—27

Nays:—None.

The bill:

H. 12. To amend an act entitled, "An act to amend section 3317 of the Code of Alabama, 1907. Relates to the publication of receipts and disbursements, by counties," approved September 25, 1915.

Was taken up.

The Committee on Finance and Taxation offered the following amendment to said bill, to-wit:

Amend the bill by striking out section 2.

Which was adopted.

Yeas, 24; *nays*, 0.

Yeas:

Messrs:

Acker	Carmichael	Harper	Prestwood
Baker	Cowan	Miller	Sims
Beale	Craft	Morris	Smith (Coosa)
Briscoe	Ellis	McDowell	Smith (Lawrence)
Butler	Espy	Nance	Tally
Carlton	Evins	Phillips	West

—24

Nays:—None.

And said bill, as thus amended, was read a third time at length and passed.

Yeas, 27; *nays*, 0.

Yeas:

Messrs:

Acker	Cowan	Huddleston	Rogers (Sumter)
Baker	Craft	Miller	Sims
Beale	Ellis	Morris	Smith (Coosa)
Briscoe	Espy	McDowell	Smith (Lawrence)
Butler	Evins	Nance	Tally
Carlton	Griffith	Phillips	West
Carmichael	Harper	Prestwood	

—27

Nays:—None.

The bill:

S. 529. To propose and submit to the qualified electors of the State of Alabama at an election to be held on the first Monday after the expiration of three months from and after the final adjournment of the present Legislature, at which this amendment is proposed, an amendment to the Constitution of Alabama whereby the city of Anniston may levy and collect a rate of taxation on the property situated therein not exceeding in the aggregate in any one year of one and one-half per centum of the value of such property as assessed in the manner provided by the Constitution and the statutes now or hereafter enacted pursuant to the Constitution; provided, however, that the total rate of taxation levied by such municipal corporations shall not in any one year exceed one per centum per annum, unless the rate in excess thereof has been submitted to and authorized by an election by the qualified electors of such municipal corporation at elections to be held from time to time for such purposes and to provide for such elections.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 27; nays, 0.

Yeas:

Messrs:

Acker	Cowan	Huddleston	Rogers (Sumter)
Baker	Craft	Miller	Sims
Beale	Ellis	Moore	Smith (Coosa)
Briscoe	Espy	Morris	Smith (Lawrence)
Butler	Evins	McDowell	Tally
Carlton	Griffith	Nance	West
Carmichael	Harper	Prestwood	

—27

Nays:—None.

The bill:

S. 573. To confer additional criminal jurisdiction on inferior courts or courts established in lieu of justices of the peace by whatever name called, on which courts criminal jurisdiction is now by law conferred, in counties having a population of over one hundred and fifty thousand, according to the last or any subsequent Federal census.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 28; nays, 0.

Yeas:

Messrs:

Acker	Briscoe	Carlton	Cowan
Baker	Butler	Carmichael	Craft

Ellis	Harper	Moore	Sims
Espy	Huddleston	Morris	Smith (Coosa)
Evins	Kelly	McDowell	Smith (Lawrence)
Griffith	Leith	Nance	Tally
Gunter	Miller	Rogers (Sumter)	West

—28

Nays:—None.

RESOLUTION.

Mr. Evins offered the following joint resolution:

S. J. R. 126. Rejecting a proposed amendment to the Constitution of the United States of America.

Whereas, both houses of the sixty-sixth Congress of the United States of America by a constitutional majority of two-thirds thereof made the following proposition to amend the Constitution of the United States of America, in the following words, to-wit:

"Section 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of sex.

Section 2. The Congress shall have power, by appropriate legislation, to enforce the provisions of said act."

Therefore, be it resolved by the Legislature of the State of Alabama:

Section 1. That the said proposed amendment to the Constitution of the United States of America be, and the same is, hereby rejected by the Legislature of the State of Alabama.

Section 2. That certified copies of this preamble and joint resolution be forwarded forthwith by the governor of this State to the secretary of State at Washington, to the presiding officer of the United States Senate, and to the speaker of the House of Representatives of the United States.

Which was read and referred to the Standing Committee on Rules.

REPORT FROM RULES COMMITTEE.

Mr. Acker, chairman of the Standing Committee on Rules, reported that said committee, in session, had acted on the following resolutions and ordered the same returned to the Senate without recommendation, to-wit:

S. J. R. 122. Ratifying a proposed amendment to the Constitution of the United States allowing the women the right to vote.

Also:

S. J. R. 126. Rejecting a proposed amendment to the Constitution of the United States allowing the women the right to vote.

And on motion of Mr. Acker, said resolutions 122 and 126 above set out, were made special orders for 3 o'clock this afternoon.

MESSAGE FROM THE HOUSE.

Mr. President:

The Speaker having signed the following House joint resolution, your signature thereto is requested:

H. J. R. 184. Relating to Lieutenant General Robert Lee Bullard.

Fred H. Gormley,
Clerk.

MESSAGE FROM THE HOUSE.

Mr. President:

The Speaker having signed the following bills, your signature thereto is requested.

H. 148. To provide for the election of the county superintendent of education of Morgan county, Alabama, by a direct vote of all the qualified electors of said county.

Also:

H. 579. To regulate and provide for the working, building, maintenance and upkeep of the public roads and bridges in Bibb county, Alabama, and prescribe manner and means of collecting and raising revenue and funds for the working, building, maintenance and upkeep of the public roads and bridges of and in Bibb county, Alabama; to regulate the public road and bridge affairs of Bibb county, Alabama; to provide funds, regulations and penalties to carry the provisions and purposes of this act into effect, and the manner and means of raising or collecting such funds, and to provide for the collection of a per capita road tax and for a license tax on all vehicles including vehicles propelled by animals, electricity, gasoline or other power whatsoever to be used for the maintenance, building, upkeep and repair of such roads and bridges and for the collection thereof.

Also:

H. 617. To fix the salary of tax collectors in counties having a population of over eighty-two thousand and not exceeding one hundred thousand according to the last Federal census or any subsequent census and allowances for clerical help in said offices and to provide for payment thereof.

Fred H. Gormley,
Clerk.

SIGNING OF BILLS.

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a

two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the following bills and joint resolution:

H. J. R. 184. Relating to Lieutenant General Robert Lee Bullard.

H. 148. To provide for the election of the county superintendent of education of Morgan county, Alabama, by a direct vote of all the qualified electors of said county.

H. 579. To regulate and provide for the working, building, maintenance and upkeep of the public roads and bridges in Bibb county, Alabama, and prescribe manner and means of collecting and raising revenue and funds for the working, building, maintenance and upkeep of the public roads and bridges of and in Bibb county, Alabama; to regulate the public road and bridge affairs of Bibb county, Alabama; to provide funds, regulations and penalties to carry the provisions and purposes of this act into effect, and the manner and means of raising or collecting such funds, and to provide for the collection of a per capita road tax and for a license tax on all vehicles including vehicles propelled by animals, electricity, gasoline or other power whatsoever to be used for the maintenance, building, upkeep and repair of such roads and bridges and for the collection thereof.

H. 617. To fix the salary of tax collectors in counties having a population of over eighty-two thousand and not exceeding one hundred thousand according to the last Federal census or any subsequent census and allowances for clerical help in said offices and to provide for payment thereof.

REPORT FROM COMMITTEE ON ENROLLED BILLS.

Mr. President:

Your Standing Committee on Enrolled Bills beg leave to report that said committee, in session, have compared the following enrolled bills, with the engrossed and original bills, respectively, and find same correctly enrolled, to-wit:

S. 434. To establish a board of revenue for Russell county, to provide for the appointment and election of the members thereof and prescribe their duties and powers, to provide for a president of said board and fix his duties and powers; and fix their compensation; to divide the county of Russell into five (5) board of revenue districts, and abolish the court of county commissioners, and to repeal all conflicting laws, general, local and special.

S. 423. To amend an act entitled an act "To create the office of assistant clerk of the inferior criminal court of Mobile county,

prescribe his or her duties, fix his or her salary and provide for the method of selection for said office," approved February 15th, 1919.

S. 412. To amend section 4 of "An act to fix the compensation of circuit judges, circuit solicitors, and assistant solicitors in all circuits of the State of Alabama which circuits are composed of only one county and having two or more judges, or which circuits may hereafter have two or more judges, and to provide that a portion of such salaries be paid out of the county treasury of the counties constituting the respective circuits.

S. 465. To amend section 4 of an act entitled "An act for better construction, repairing, working and maintaining of the public roads and bridges in Sumter county," approved September 22nd, 1915.

S. 438. To authorize and direct the board of revenue of Jefferson county, Alabama, to cause to be paid out of the county treasury of Jefferson county, Alabama, stenographic fees incurred by the recess committee having under consideration local legislation for Jefferson county, Alabama.

S. 408. To amend section 13 of an act entitled an act to provide for the better construction, repairing, working and maintaining of public roads and bridges in Talladega county, Alabama, approved March 15, 1911, and to amend said section 13 of said act as amended by act of the Legislature approved July 17, 1915, so as to make the same read as follows, to-wit:

S. 238. To provide for and regulate the use of grand and petit juries for the criminal divisions of all circuit courts of this State, holding at the county site, in all circuits which now are or may hereafter be composed of only one county and in which there are now or may hereafter be provided more than three judges, independent of and separate and apart from the juries for the other divisions of such courts, and to regulate the transfer of juries from civil to criminal divisions thereof, and from criminal to civil divisions thereof.

S. 239. To amend section ten (10) of an act approved September 25, 1915, and entitled "An act to provide for the appointment of an official court reporter by each circuit judge in Alabama; to fix their compensation, define their duties and provide for special reporters in certain cases."

S. 448. To create a county highway commission for Cherokee county, Alabama, to be known as the Cherokee county highway commission and to provide for the appointment thereof by the governor; to invest it with full, complete and unlimited jurisdiction over the public roads, bridges and ferries in Cherokee county; to prescribe and define its powers and duties as such highway

commission, and to repeal all laws and parts of laws in conflict therewith; to abolish free labor on the public roads in Cherokee county and in lieu thereof, assess public road dues on those required to perform free labor on the public roads; to authorize the commission to take charge of all the public road tools and machinery belonging to the county, and to receive all the funds now provided by the county for the use of the public roads, bridges and ferries therein; and, in addition thereto, to levy and collect special privilege license taxes for the construction and maintenance of the public roads, bridges and ferries in the county; to authorize and empower the commission to exercise all the legislative, judicial and executive authority over the public roads, bridges and ferries conferred by law on the court of county commissioners; to fix penalties for the violations of any of the provisions of this act, and for the violation of any of the rules or legislative acts of the commission.

S. 356. To make the clerk of the circuit court of Cullman county, Alabama, ex-officio clerk of the county court of said county and to define his duties and to provide for his fees and compensation.

S. 300. To prescribe the maximum limit for the principal of unpaid outstanding indebtedness against Henry county, Alabama, not to exceed at any time.

S. 100. To provide for the payment of fees, charges and commissions of county officers, and fines and forfeitures into the general fund of the county, in counties having a population of two hundred thousand or more according to the last or any subsequent Federal census.

S. 231. To provide for a judge of the county court, fix his compensation, provide for a clerk of such court and fix his compensation, and also fix the compensation of the sheriff for services in such court in all counties having a population of more than 37,900 and less than 38,000 according to the Federal census of 1910 and to provide for the payment of the same.

S. 310. To fix the salary of the judge of probate of Montgomery county, Alabama, and allowance for clerical help and other expenses in said office, and to provide for payment thereof.

S. 298. To further provide for improvement and maintenance of the public roads and bridges of Henry county, Alabama, by authorizing the court of county commissioners thereof, to fix and provide payment of a per capita road tax in lieu of road and bridge service, and levy and collect a vehicle tax and to provide penalty for violations of and failures to comply with provisions created under authority of this act.

S. 99. To provide for the payment and retirement of claims against the fine and forfeiture fund in counties having a population of two hundred thousand or more according to the last or any subsequent Federal census.

Chas. McDowell, Jr.,
Chairman.

SIGNING OF BILLS.

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the following bills:

S. 434. To establish a board of revenue for Russell county, to provide for the appointment and election of the members thereof and prescribe their duties and powers, to provide for a president of said board and fix his duties and powers; and fix their compensation; to divide the county of Russell into five (5) boards of revenue districts, and abolish the court of county commissioners, and to repeal all conflicting laws, general, local and special.

S. 423. To amend an act entitled an act "To create the office of assistant clerk of the inferior criminal court of Mobile county, prescribe his or her duties, fix his or her salary and provide for the method of selection for said office," approved February 15th, 1919.

S. 412. To amend section 4 of "An act to fix the compensation of circuit judges, circuit solicitors, and assistant solicitors in all circuits of the State of Alabama which circuits are composed of only one county and having two or more judges, or which circuits may hereafter have two or more judges, and to provide that a portion of such salaries be paid out of the county treasury of the counties constituting the respective circuits.

S. 465. To amend section 4 of an act entitled "An act for better construction, repairing, working and maintaining of the public roads and bridges in Sufter county," approved September 22nd, 1915.

S. 438. To authorize and direct the board of revenue of Jefferson county, Alabama, to cause to be paid out of the county treasury of Jefferson county, Alabama, stenographic fees incurred by the recess committee having under consideration local legislation for Jefferson county, Alabama.

S. 381. For the relief of Annie B. Moore.

S. 408. To amend section 13 of an act entitled an act to provide for the better construction, repairing, working, and main-

taining of public roads and bridges in Talladega county, Alabama, approved March 15, 1911, and to amend said section 13 of said act as amended by act of the Legislature approved July 17, 1915, so as to make the same read as follows, to-wit:

S. 238. To provide for and regulate the use of grand and petit juries for the criminal divisions of all circuit courts of this State, holding at the county site, in all circuits which now are or may hereafter be composed of only one county and in which there are now or may hereafter be provided more than three judges, independent of and separate and apart from the juries for the other divisions of such courts, and to regulate the transfer of juries from civil to criminal divisions thereof, and from criminal to civil divisions thereof.

S. 239. To amend section ten (10) of an act approved September 25, 1915, and entitled "An act to provide for the appointment of an official court reporter by each circuit judge in Alabama; to fix their compensation, define their duties and provide for special reporters in certain cases."

S. 448. To create a county highway commission for Cherokee county, Alabama, to be known as the Cherokee county highway commission, and to provide for the appointment thereof by the governor; to invest it with full, complete and unlimited jurisdiction over the public roads, bridges and ferries in Cherokee county; to prescribe and define its powers and duties as such highway commission, and to repeal all laws and parts of laws in conflict therewith. To abolish free labor on the public roads in Cherokee county, and in lieu thereof, assess public road duties on those required to perform free labor on the public roads. To authorize the commission to take charge of all the public road tools and machinery belonging to the county, and to receive all the funds now provided by the county for the use of the public roads, bridges and ferries therein; and, in addition thereto, to levy and collect special privilege license taxes for the construction and maintenance of the public roads, bridges and ferries in the county. To authorize and empower the commission to exercise all the legislative, judicial and executive authority over the public roads, bridges and ferries conferred by law on the court of county commissioners. To fix penalties for the violations of any of the provisions of this act, and for the violations of any of the rules, or legislative acts of the commission.

S. 356. To make the clerk of the circuit court of Cullman county, Alabama, ex-officio clerk of the county court of said county and to define his duties and to provide for his fees and compensation.

S. 300. To prescribe the maximum limit for the principal of unpaid outstanding indebtedness against Henry county, Alabama, not to exceed at any time.

S. 100. To provide for the payment of fees, charges and commissions of county officers, and fines and forfeitures into the general fund of the county, in counties having a population of two hundred thousand or more according to the last or any subsequent Federal census.

S. 231. To provide for a judge of the county court, fix his compensation, provide for a clerk of such court and fix his compensation, and also fix the compensation of the sheriff for services in such court in all counties having a population of more than 37,900 and less than 38,000 according to the Federal census of 1910 and to provide for the payment of the same.

S. 310. To fix the salary of the judge of probate of Montgomery county, Alabama, and allowance for clerical help and other expenses in said office, and to provide for payment thereof.

S. 298. To further provide for improvement and maintenance of the public roads and bridges of Henry county, Alabama, by authorizing the court of county commissioners thereof, to fix and provide payment of a per capita road tax in lieu of road and bridge service, and levy and collect a vehicle tax and to provide penalty for violations of and failures to comply with provisions created under authority of this act.

S. 99. To provide for the payment and retirement of claims against the fine and forfeiture fund in counties having a population of two hundred thousand or more according to the last or any subsequent Federal census.

RECESS.

On motion of Mr. Prestwood, the Senate at 12:45 P. M., took a recess until 2:30 o'clock this afternoon.

AFTERNOON SESSION—FORTY-FIRST DAY.

Tuesday, September 2, 1919.

The Senate reassembled at 2:30 o'clock P. M., Lieutenant Governor Miller presiding.

ROLL CALL.

On a call of the roll, 23 members answered to their names, a quorum of the Senate.

INTRODUCTION OF BILLS.

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Gunter:

S. 652. To change the boundary line between Montgomery and Crenshaw counties so as to take into Montgomery county the following land, now situated in Crenshaw county, Alabama, to-wit: The northwest quarter (NW $\frac{1}{4}$) and the west half (W $\frac{1}{2}$) of the northeast quarter (NE $\frac{1}{4}$), section five (5); also the northeast quarter (NE $\frac{1}{4}$) and the east half (E $\frac{1}{2}$) of the northwest quarter (NW $\frac{1}{4}$), section six (6), township eleven (11), range eighteen (18).

County and County Boundaries.

With notice and proof attached and herewith exhibited as follows:

TO WHOM IT MAY CONCERN.

There will be a bill introduced in the House of Representatives and Senate of the State of Alabama asking for a change of the county line between Montgomery and Crenshaw counties. It is proposed in the bill to transfer the following land from Crenshaw to Montgomery county: the northwest fourth and the west half of the northeast fourth section 5, township 11, range 18; and the northeast fourth and the east half of the northwest fourth, section 2, township 11, range 18.

AFFIDAVIT OF PUBLICATION.

I, C. L. Kettler, publisher of the Crenshaw County News, a newspaper published weekly at Luverne, Crenshaw county, Alabama, do solemnly swear that a copy of the above notice, as per clipping attached, was published once a week in the regular and entire issue of said newspaper, and not in any supplement thereof, for four consecutive weeks, commencing with the issue dated August 7th, 1919, and ending with the issue dated August 28th, 1919.

Subscribed and sworn to before me this 28th day of August, 1919.

Wilkie Pope,
Notary Public.

TO WHOM IT MAY CONCERN.

There will be a bill introduced in the present House of Representatives and Senate of the State of Alabama asking for a change of the county line between Montgomery and Crenshaw counties. It is proposed in the bill to transfer the following land from Crenshaw to Montgomery county: the northwest fourth and the west half of the northeast fourth, section 5, township 11, range 18; and the northeast fourth and the east half of the northwest fourth, section 6, township 11, range 18.

AFFIDAVIT OF PUBLICATION.

I, O. Anderson, circulation manager of the Montgomery Journal, a newspaper published at Montgomery, Montgomery county, Alabama, do

solemnly swear that a copy of the above notice, as per clipping attached, was published four (4) times in the regular and entire issue of said newspaper, and not in any supplement thereof, for four consecutive weeks, commencing with the issue dated August 7, 1919, and ending with the issue dated August 28, 1919.

O. Anderson (L. S.)

Subscribed and sworn to before me, this the 2nd day of September, 1919.

L. L. Mooneyhan,

Notary Public, Montgomery County, Alabama.

By Mr. Bedsole:

S. 653. To amend section 15 of an act "To further suppress the evils of intemperance; to restrict the receipt, possession and delivery of spirituous, vinous, malted, fermented or other intoxicating or prohibited liquors and beverages and fixing punishment and penalties," approved January 25th, 1919.

Temperance.

By Mr. Leith:

S. 654. To amend section 564 (1907) of the Code of Alabama.

Finance and Taxation.

By Mr. Carmichael:

S. 655. To provide for the establishment of libraries in the rural town and village schools of Alabama, to make an appropriation therefor; to provide for their maintenance and their improvement, to authorize the commissioners' court or the board of revenue of the several counties to make an appropriation for the establishment and support of said libraries, and to provide rules and regulations under which said libraries shall be established and maintained.

Finance and Taxation.

By Mr. Rogers of Lauderdale:

S. 656. To provide for bailiffs for the circuit courts in all counties in Alabama having a population of not less than 26,850 and not exceeding 26,890, according to the Federal census of 1910.

Local Legislation.

BILLS ON THIRD READING.

The bill:

S. 570. To amend sections five and six of an act entitled an act to establish an inferior court in precincts 15 and 20 in Calhoun county, Alabama, in lieu of all justices of the peace, and notaries public with power of justice of the peace, in said precincts, and to define the jurisdiction and powers of said court, and the judge thereof, to provide for the execution of the process of said court and the operation thereof, to regulate the rendition of judgments by default, to provide for the election, term of of-

fice, qualifications and compensation of the officers of said court, and the mode of their selection, and to abolish the office of justice of the peace and notary public with power of justice of the peace in said precincts. Court established.

Was taken up.

Mr. Acker offered the following amendment to said bill:

Amend by striking out "twenty-four hundred dollars" and inserting in lieu thereof "eighteen hundred dollars."

Which was adopted.

Yeas, 24; nays, 0.

Yeas:

Messrs:

Acker	Cowan	Kelly	Nance
Baker	Craft	Leith	Phillips
Beale	Ellis	Miller	Prestwood
Briscoe	Evins	Moore	Sims
Carlton	Gunter	Morris	Smith (Lawrence)
Carmichael	Harper	McDowell	Tally

—24

Nays:—None.

And said bill, as thus amended, was read a third time at length and passed.

Yeas, 27; nays, 0.

Yeas:

Messrs:

Acker	Carmichael	Leith	Prestwood
Baker	Craft	Miller	Rogers (Sumter)
Beale	Ellis	Moore	Sims
Bedsole	Evins	Morris	Smith (Coosa)
Briscoe	Gunter	McDowell	Smith (Lawrence)
Brown	Harper	Nance	Tally
Carlton	Kelly	Phillips	

—27

Nays:—None.

The bill:

H. 637. To regulate the registration and payment of claims against the fine and forfeiture fund of DeKalb county and to provide compensation therefor.

Was read a third time at length and passed.

Yeas, 27; nays, 0.

Yeas:

Messrs:

Acker	Briscoe	Carmichael	Harper
Baker	Brown	Ellis	Kelly
Beale	Butler	Evins	Leith
Bedsole	Carlton	Gunter	Miller

Moore	Nance	Rogers (Sumter)	Smith (Lawrence)	
Morris	Phillips	Sims	Tally	
McDowell	Prestwood	Smith (Coosa)		—27

Nays:—None.

The bill:

H. 770. To divide Conecuh county, Alabama, into four commissioners districts; to provide for the election of county commissioners for said county from each of such districts by the qualified electors of said districts; to provide elections at which the county commissioners for said county shall be elected and to provide for and fix their term of office.

Was read a third time at length and passed.

Yeas, 29; nays, 0.

Yeas:

Messrs:

Acker	Carmichael	Harper	Nance
Baker	Cowan	Kelly	Prestwood
Beale	Craft	Leith	Rogers (Sumter)
Bedsole	Ellis	Miller	Sims
Briscoe	Espy	Moore	Smith (Coosa)
Brown	Evins	Morris	Smith (Lawrence)
Butler	Gunter	McDowell	Tally
Carlton			

—29

Nays:—None.

The bill:

S. 574. To authorize the board of revenue of Tuscaloosa county to exempt from labor on the roads of said county all persons who shall pay the secretary of said board, for the road and bridge fund of said county, five dollars and fifty cents on or before the first day of March in each year.

Was taken up.

Mr. Beale offered the following amendment to said bill:

Amend Senate bill 574 as follows:

Strike out the words "five dollars and fifty cents" wherever they occur in the bill and insert in lieu thereof the words, "not less than three dollars and fifty cents and not more than seven dollars and fifty cents as may be determined by the board of revenue of said county."

Which was adopted.

Yeas, 26; nays, 0.

Yeas:

Messrs:

Acker	Beale	Brown	Carlton
Baker	Briscoe	Butler	Carmichael

Craft	Kelly	McDowell	Sims
Ellis	Leith	Nance	Smith (Coosa)
Espy	Miller	Phillips	Smith (Lawrence)
Gunter	Moore	Prestwood	Tally
Harper	Morris		

—26

Nays:—None.

And the bill, as thus amended, was read a third time at length and passed.

Yeas, 28; nays, 0.

Yeas:

Messrs:			
Acker	Carlton	Harper	Nance
Baker	Carmichael	Kelly	Phillips
Beale	Cowan	Leith	Prestwood
Bedsole	Craft	Miller	Sims
Briscoe	Ellis	Moore	Smith (Coosa)
Brown	Espy	Morris	Smith (Lawrence)
Butler	Gunter	McDowell	Tally

—28

Nays:—None.

The bill:

S. 537. To create the office of county solicitor in all counties having a population of not less than eighteen thousand one hundred and twenty-five and not more than eighteen thousand nine hundred according to the Federal census of 1910, and to provide for the election of such solicitor by the qualified electors of such counties and prescribe his qualifications and duties and fix his compensation.

Was taken up.

Mr. Kelly offered the following amendment to said bill:

Amend Senate bill 537 by inserting after the words, "Census of 1910" the following words "or any subsequent Federal census."

Amend section one of Senate bill 537 by inserting after the words "Census of 1910" the following words: "or any subsequent Federal census."

Which was adopted.

Yeas, 29; nays, 0.

Yeas:

Messrs:			
Acker	Butler	Espy	Moore
Baker	Carlton	Evins	Morris
Beale	Carmichael	Harper	McDowell
Bedsole	Cowan	Kelly	Nance
Briscoe	Craft	Leith	Prestwood
Brown	Ellis	Miller	Rogers (Lauderdale)

Rogers (Sumter) Smith (Coosa) Smith (Lawrence) Tally
Sims

—29

Nays:—None.

And said bill, as thus amended, was read a third time at length and passed.

Yeas, 29; nays, 0.

Yeas:

Messrs:

Acker	Carmichael	Harper	Phillips
Baker	Cowan	Kelly	Prestwood
Beale	Craft	Leith	Rogers (Lauderdale)
Bedsole	Ellis	Moore	Sims
Briscoe	Espy	Morris	Smith (Coosa)
Brown	Evins	McDowell	Smith (Lawrence)
Butler	Gunter	Nance	Tally
Carlton			

—29

Nays:—None.

The bill:

S. 559. To provide for the expense of this session of the Legislature.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 28; nays, 0.

Yeas:

Messrs:

Acker	Carlton	Gunter	Nance
Baker	Carmichael	Harper	Prestwood
Beale	Cowan	Kelly	Rogers (Sumter)
Bedsole	Craft	Leith	Sims
Briscoe	Ellis	Miller	Smith (Coosa)
Brown	Espy	Moore	Smith (Lawrence)
Butler	Evins	Morris	Tally

—28

Nays:—None.

The bill:

S. 395. To change the amount, or fix the amount, of the salary or compensation to be paid to the county treasurer of any county of the State, having a population of eighty thousand or over according to the last or any succeeding Federal census; to provide the method and manner of its payment; and to repeal all laws or parts of laws, general, local, or special, in conflict with this act.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 29; nays, 0.

Yeas:

Messrs:

Acker	Carmichael	Kelly	Prestwood
Baker	Cowan	Leith	Rogers (Lauderdale)
Beale	Craft	Miller	Rogers (Sumter)
Bedsole	Ellis	Moore	Sims
Briscoe	Espy	Morris	Smith (Coosa)
Brown	Evins	McDowell	Smith (Lawrence)
Butler	Harper	Nance	Tally
Carlton			

—29

Nays:—None.

The bill:

H. 714. To prohibit live stock from running at large in all counties in Alabama having a population of not less than twenty-four thousand six hundred and fifty (24,650) nor more than twenty-four thousand seven hundred (24,700) according to the Federal census of 1910; to provide for the enforcement of the provisions of this act; to fix penalties for the violation of the provisions of this act, and to repeal all laws and parts of laws in conflict herewith.

Was taken.

Mr. Briscoe offered the following amendment to said bill, to-wit:

Amend caption of House bill 714 by adding immediately after the figures "1910" where the said figures occur in said caption the words "or any subsequent Federal census."

Amend section 1 of House bill number 714 by changing the period at the end of said section to a comma and adding the words: "or any subsequent Federal census."

Which was adopted.

Yeas, 29; nays, 0.

Yeas:

Messrs:

Acker	Carmichael	Kelly	Phillips
Baker	Cowan	Leith	Prestwood
Beale	Craft	Miller	Rogers (Sumter)
Bedsole	Ellis	Moore	Sims
Briscoe	Evins	Morris	Smith (Coosa)
Brown	Gunter	McDowell	Smith (Lawrence)
Butler	Harper	Nance	Tally
Carlton			

—29

Nays:—None.

And said bill, as thus amended, was read a third time at length and passed.

Yeas, 28; nays, 0.

Yeas:

Messrs:

Acker	Carlton	Harper	Nance
Baker	Carmichael	Kelly	Prestwood
Beale	Cowan	Leith	Rogers (Sumter)
Bedsole	Craft	Miller	Sims
Briscoe	Ellis	Moore	Smith (Coosa)
Brown	Evins	Morris	Smith (Lawrence)
Butler	Gunter	McDowell	Tally

—28

Nays:—None.

The bill:

H. 595. To create, establish and designate an additional State trunk road to be known as No. 23.

Was read a third time at length and passed.

Yeas, 31; nays, 0.

Yeas:

Messrs:

Acker	Carmichael	Kelly	Prestwood
Baker	Cowan	Leith	Rogers (Lauderdale)
Beale	Craft	Miller	Rogers (Sumter)
Bedsole	Ellis	Moore	Sims
Briscoe	Espy	Morris	Smith (Coosa)
Brown	Evins	McDowell	Smith (Lawrence)
Butler	Gunter	Nance	Tally
Carlton	Harper	Phillips	

—31

Nays:—None.

The bill:

S. 531. To prescribe the various classes of stock that may be issued by corporations, to declare the rights, powers and limitations of the holders of the same, and to prescribe the methods of authorizing the issue thereof, and to provide a remedy against any unauthorized or illegal issue thereof heretofore or hereafter made, and a statute of limitations barring that or any other remedy against the same.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 21; nays, 0.

Yeas:

Messrs:

Acker	Craft	Leith	Rogers (Sumter)
Beale	Ellis	Miller	Sims
Butler	Evins	Moore	Smith (Coosa)
Carlton	Harper	Morris	Smith (Lawrence)
Carmichael	Kelly	Nance	Tally
Cowan			

—21

Nays:—None.

The bill:

S. 561. To create a maritime lien for compensatory damages in favor of the personal representative of any person suffering death by the wrongful act, omission, or negligence, whilst in the territorial waters of this State, of any kind of boat, vessel, barge or other floating property, that is within the admiralty and maritime jurisdiction of the United States.

Was read a third time at length and passed.

Yeas, 19; nays, 0.

Yeas:

Messrs:

Acker	Cowan	Leith	Sims
Beale	Craft	Moore	Smith (Coosa)
Bedsale	Espy	Morris	Smith (Lawrence)
Briscoe	Gunter	Nance	Tally
Carmichael	Harper	Rogers (Sumter)	

—19

Nays:—None.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has concurred in and adopted the Senate amendment to the bill:

H. 756. To ratify, legalize and confirm all grants, rights, privileges, contracts, bonds, conveyances, sales, leases, rentals, purchases, undertakings, agreements or payments in relation to any United States military camp, remount station, base hospital, aviation field or depot, heretofore made or attempted to be made by or for the use of or benefit of all cities in Alabama which now have a population of as much as twenty-five thousand, and less than fifty thousand people according to the last Federal census; to ratify, legalize and confirm all purchases or rentals of real estate or other property, and all contracts or agreements to purchase or rent, whether within or without the corporate limits of such city; to authorize such city to retain, maintain, sell, lease or convey such property; to authorize and legalize the payment of expenses, charges, costs, court costs made or to be made therein or in relation thereto; to extend the police jurisdiction of such city over said real estate to the extent that such real estate lies in the same county as such city.

Fred H. Gormley,
Clerk.

CONSIDERATION OF SPECIAL ORDERS.

The Senate proceeded to consider the first special order for this hour, which was the resolution:

By Mr. Rogers of Sumter:

S. J. R. 122. Ratifying a proposed amendment to the Constitution of the United States of America.

Whereas, both houses of the sixty-sixth Congress of the United States of America by a constitutional majority of two-thirds thereof made the following proposition to amend the Constitution of the United States of America, in the following words, to-wit:

"Section 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of sex.

"Section 2. The Congress shall have power, by appropriate legislation, to enforce the provisions of said act."

Therefore, be it resolved by the Legislation of the State of Alabama:

Section 1. That the said proposed amendment to the Constitution of the United States of America be, and the same is, hereby ratified by the Legislature of the State of Alabama.

Section 2. That certified copies of this preamble and joint resolution be forwarded by the governor of this State to the Secretary of State at Washington, to the presiding officer of the United States, and to the Speaker of the House of Representatives of the United States.

Notice is hereby given that the above set out joint resolution will be called up for passage in the Senate at 3:00 o'clock P. M., on the 2nd day of September, 1919, providing the Senate is then in session; in the event the Senate is not in session at the time herein specified said resolution will be called up for passage in the afternoon of the first legislative day thereafter.

Mr. Rogers of Sumter, offered the following substitute for said resolution, to-wit:

SUBSTITUTE FOR SENATE JOINT RESOLUTION 122.

By Mr. Rogers of Sumter:

S. J. R. 122. Ratifying a proposed amendment to the Constitution of the United States of America.

Whereas, both houses of the sixty-sixth Congress of the United States of America by a constitutional majority of two-thirds thereof made the following proposition to amend the Constitution of the United States of America, in the following words, to-wit:

"Joint resolution (H. J. Res. 1) proposing an amendment to the Constitution extending the right of suffrage to women.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each house concurring therein), That the following article is proposed as an amendment to the Constitution which shall be

valid to all intents and purposes as part of the Constitution when ratified by legislatures of three-fourths of the several states:

"Article —. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of sex.

"Congress shall have power to enforce this article by appropriate legislation."

Therefore, be it resolved by the Legislature of the State of Alabama:

Section 1. That the said proposed amendment to the Constitution of the United States of America be, and the same is, hereby ratified by the Legislature of the State of Alabama.

Section 2. That certified copies of this preamble and joint resolution be forwarded by the governor of this State to the Secretary of State at Washington, to the presiding officer of the United States Senate, and to the Speaker of the House of Representatives of the United States.

Which was lost.

Yeas, 13; nays, 18.

Yeas:

Messrs:

Beale	Craft	Leith	Rogers (Sumter)
Bedsole	Griffith	Nance	Smith (Coosa)
Briscoe	Harper	Phillips	Smith (Lawrence)
Brown			—13

Nays:

Messrs:

Acker	Espy	Miller	Prestwood
Carlton	Evins	Moore	Rogers (Lauderdale)
Carmichael	Gunter	Morris	Sims
Cowan	Huddleston	McDowell	Tally
Ellis	Kelly		—18

PAIR ANNOUNCED.

Mr. Baker announced that he and Mr. West were paired on this vote; that Mr. West, if present, would vote "yea" and he, Mr. Baker, would vote "no."

The question then recurred on the adoption of the original resolution of Mr. Rogers of Sumter, which was lost.

Yeas, 13; nays, 18.

Yeas:

Messrs:

Beale	Craft	Leith	Rogers (Sumter)
Bedsole	Griffith	Nance	Smith (Coosa)
Briscoe	Harper	Phillips	Smith (Lawrence)
Brown			—13

*Nays:**Messrs:*

Acker	Espy	Miller	Prestwood
Carlton	Evins	Moore	Rogers (Lauderdale)
Carmichael	Gunter	Morris	Sims
Cowan	Huddleston	McDowell	Tally
Ellis	Kelly		

—18

PAIR ANNOUNCED.

Mr. Baker announced that he and Mr. West were paired on this vote; that Mr. West, if present, would vote "yca" and he, Mr. Baker, would vote "no."

CONSIDERATION OF SECOND SPECIAL ORDER.

The Senate proceeded to consider the second special order for this hour, which was the resolution:

S. J. R. 126. Rejecting a proposed amendment to the Constitution of the United States of America.

Whereas, both houses of the sixty-sixth Congress of the United States of America by a constitutional majority of two-thirds thereof made the following proposition to amend the Constitution of the United States of America, in the following words, to-wit:

"Section 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of sex.

"Section 2. The Congress shall have power, by appropriate legislation, to enforce the provisions of said act."

Therefore, be it resolved by the Legislature of the State of Alabama:

Section 1. That the said proposed amendment to the Constitution of the United States of America be, and the same is, hereby rejected by the Legislature of the State of Alabama.

Section 2. That certified copies of this preamble and joint resolution be forwarded forthwith by the governor of this State to the secretary of State at Washington, to the presiding officer of the United States Senate, and to the Speaker of the House of Representatives of the United States.

And said resolution was adopted.

Yeas, 18; nays, 12.

*Yeas:**Messrs:*

Acker	Espy	Miller	Prestwood
Carlton	Evins	Moore	Rogers (Lauderdale)
Carmichael	Gunter	Morris	Sims
Cowan	Huddleston	McDowell	Tally
Ellis	Kelly		

—18

Nays:

Messrs:

Beale Brown
Bedsole Craft
Briscoe Harper

Leith
Nance
Phillips

Rogers (Sumter)
Smith (Coosa)
Smith (Lawrence)

—12

PAIR ANNOUNCED.

Mr. Baker announced that he and Mr. West were paired on this vote; that Mr. West, if present, would vote "no" and he, Mr. Baker, would vote "yea."

And the first special order on today's calendar, which was:

S. 548. To amend section 5869 of the Code of 1907.

Was taken up.

Mr. Carmichael, pursuant to notice heretofore given, moved to reconsider the vote by which the Senate on the last legislative day, adopted the substitute to said bill, which motion prevailed and said vote was reconsidered.

Mr. Carmichael also moved to reconsider the vote by which the Senate, on the last legislative day, adopted the amendment to said substitute, which motion prevailed and said vote was reconsidered.

Mr. Carmichael then moved that said amendment be laid on the table, which motion prevailed and said amendment was laid on the table.

Mr. Tally then offered the following amendment to said substitute:

Amend Senate bill number 548 by striking out the words and figures where said words occur in said bill:

"Twelve hundred (1200) dollars per annum" and insert in lieu thereof the following: "Such amount as may be fixed by the commissioners court, board of revenue or other governing body of the county in which such chief deputy is appointed, such amount not to exceed twelve hundred dollars per annum."

Mr. Bealle offered the following amendment to the amendment offered by Mr. Tally, to-wit:

Amend the amendment to Senate bill 548 as follows:

Strike out the words "Twelve hundred" and insert in lieu thereof the words: "Fifteen hundred."

Mr. Carmichael moved to lay the amendment offered by Mr. Beale, together with the amendment offered by Mr. Tally, on the table, which motion prevailed and said amendments were laid on the table.

Yeas, 16; nays, 15.

Yeas:

Messrs:

Acker	Ellis	Huddleston	McDowell
Carmichael	Evins	Kelly	Rogers (Sumter)
Cowan	Gunter	Leith	Sims
Craft	Harper	Morris	Smith (Lawrence)

—16

Nays:

Messrs:

Beale	Carlton	Moore	Rogers (Lauderdale)
Briscoe	Espy	Nance	Smith (Coosa)
Brown	Griffith	Phillips	Tally
Butler	Miller	Prestwood	

—15

Mr. Tally also offered the following amendment to said bill, to-wit:

Amend Senate bill 548 by striking out the words and figures where said words occur in said bill:

"Twelve hundred dollars (\$1200.00) per annum" and insert in lieu thereof the following: "Such amount as may be fixed by the court of county commissioners, board of revenue or other governing bodies of the county in which such chief deputy is appointed, not less than \$300.00 and not more than fifteen hundred dollars."

Mr. Carmichael moved to table the amendment offered by Mr. Tally, which motion was lost.

And the amendment offered by Mr. Tally was then adopted.

Yeas, 29; nays, 2.

Yeas:

Messrs:

Acker	Craft	Kelly	Phillips
Beale	Ellis	Leith	Prestwood
Briscoe	Espy	Miller	Rogers (Lauderdale)
Brown	Evins	Moore	Sims
Butler	Griffith	Morris	Smith (Coosa)
Carlton	Gunter	McDowell	Smith (Lawrence)
Carmichael	Harper	Nance	Tally
Cowan			

—29

Nays:

Messrs:

Huddleston	Rogers (Sumter)
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—2

And said substitute, as thus amended, was again adopted.

Yeas, 29; nays, 2.

Yeas:

Messrs:

Acker	Brown	Carmichael	Ellis
Beale	Butler	Cowan	Espy
Briscoe	Carlton	Craft	Evins

Griffith	Miller	Nance	Sims	
Gunter	Moore	Phillips	Smith (Coosa)	
Harper	Morris	Prestwood	Smith (Lawrence)	
Kelly	McDowell	Rogers (Lauderdale)	Tally	
Leith				—29

Nays:

Messrs:

Huddleston	Rogers (Sumter)			—2
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And said bill, as thus amended, was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 29; nays, 2.

Yeas:

Messrs:

Acker	Cowan	Harper	Nance	
Beale	Craft	Kelly	Sims	
Briscoe	Ellis	Leith	Smith (Coosa)	
Brown	Espy	Moore	Smith (Lawrence)	
Carlton	Evins	Morris	Tally	
Carmichael	Gunter	McDowell		—23

Nays:

Messrs:

Butler	Huddleston	Phillips	Rogers (Lauderdale)	
Griffith	Miller	Prestwood	Rogers (Sumter)	—8

S. 508. To authorize and empower cities and towns of the State of Alabama having any streets paved with other material than macadam, when deemed necessary by the governing bodies of such cities and townsc, to resurface or add to the surface of such paving without removing the entire wearing surface of the existing pavement; and to assess the cost thereof against the abutting property.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 23; nays, 1.

Yeas:

Messrs:

Acker	Craft	Leith	Rogers (Sumter)	
Beale	Ellis	Miller	Sims	
Brown	Griffith	Moore	Smith (Coosa)	
Butler	Gunter	Morris	Smith (Lawrence)	
Carlton	Harper	McDowell	Tally	
Cowan	Kelly	Rogers (Lauderdale)		—23

Nays:

Mr. Prestwood—1.

REPORT OF THE COMMITTEE ON REVISION OF THE JOURNAL.

Mr. Griffith, chairman of the Committee on Revision of the Journal, reported that said committee, in session, had examined the Journals of the Senate for the thirty-eighth legislative day of the session, and found same contains the proper entries in reference to each bill and resolution contained therein, as required by the Constitution.

A. A. Griffith,
Chairman.

COMMITTEE REPORT.

The foregoing report from the Committee on Revision of the Journal was read, and on motion of Mr. Griffith the same was adopted and the Journals of the Senate of the thirty-eighth legislative day of the session were approved by the Senate.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has passed the following Senate bill:

S. 205. To regulate fraternal beneficiary societies, orders or associations.

And returns same herewith to the Senate.

Fred H. Gormley,
Clerk.

ADJOURNMENT.

On motion of Mr. Rogers of Sumter, the Senate, at 6:15 P. M., adjourned untily 9 o'clock tomorrow morning.

FORTY-SECOND DAY.

Wednesday, September 3, 1919.

The Senate met pursuant to adjournment, Lieutenant Governor Miller presiding.

PRAYER.

By Rev. Johnson, of Montgomery.

ROLL CALL.

Present:

Mr. President and
Messrs:

Acker	Cowan	Kelly	Prestwood
Baker	Craft	Leith	Rogers (Lauderdale)
Beale	Ellis	Miller	Rogers (Sumter)
Bedsole	Espy	Moore	Sims
Briscoe	Evins	Morris	Smith (Coosa)
Brown	Griffith	McDowell	Smith (Lawrence)
Butler	Gunter	Nance	Tally
Carlton	Harper	Phillips	West
Carmichael	Huddleston		

—34

JOURNAL.

On motion of Mr. Smith of Coosa, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

INTRODUCTION OF BILLS.

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Craft:

S. 657. To provide for the appointment of deputy registers and deputy clerks for circuit courts in judicial circuits composed of one county having two or more judges, and to prescribe the duties and fix the compensation and salary of such deputies.

Revision of Laws.

By Mr. Harper:

S. 658. To require all companies, corporations, lessees, owners or receivers of any railroad or railway company operating passenger cars in this State to cause the doors and windows of such cars to be screened, under regulations to be adopted by the Alabama public service commission.

Commerce and Common Carriers.

By Mr. Acker :

S. 659. To provide that the costs in all civil proceedings at law or in equity in the courts of this State shall become due and payable thirty days after the service is rendered, and to authorize and regulate the issuance of execution therefor.

Judiciary.

By Mr. West :

S. 660. To require the superintendent, manager, intern, or other person in control or in charge of hospitals, and physicians, **treating injured persons, to report, to the chief of police and sheriff, any and all injured persons coming into such hospital, in counties having a population of two hundred thousand or more, according to the last Federal census or any future Federal census, and to fix penalties for the violation thereof.**

Local Legislation.

Also :

S. 661. To provide for the payment of sundry or incidental expenses of the sheriff's office in counties in this State, having a sheriff serving on a salary basis, or which may hereafter have a sheriff serving on a salary basis, and to provide for an accounting by the sheriff of money received by him under this act.

Local Legislation.

Also :

S. 662. To amend section 3207 of the Civil Code of 1907.

Revision of Laws.

Also :

S. 663. To further provide for the safety, preserve the health, promote the prosperity, improve the order, comfort and convenience of the inhabitants of cities; to require street railway companies or other railroads or the owners thereof to prepare or construct its tracks for the receipt of street paving or other improvements; to provide a penalty for their failure to comply with any city public improvement ordinance, to provide a manner by which cities may proceed when any street railway or any railroad company fails, neglects or refuses to comply with any public improvement ordinance of the city; to provide for a commission to be named by the governor, and the personnel thereof, and to empower such commission to proceed to carry out any public improvement ordinance of any city, when the street railway company or other railroad company fails, neglects or refuses to comply with any public improvement ordinance of the city; and to provide a manner for the proper assessment and collection of the cost of such preparation, construction of tracks and street paving from the street railway company or railroad company.

Commerce and Common Carriers.

By Mr. McDowell:

S. 664. To amend section 1 of an act entitled "An act to designate certain public roads of the State of Alabama as State trunk roads and to provide the manner in which such roads shall be located, improved and maintained," approved September 10th, 1915.

Public Roads and Highways.

REPORTS OF COMMITTEES.

Mr. Cowan, chairman of the Standing Committee on Public Health, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Griffith:

S. 528. To authorize the governor to provide a suitable site for the establishment of a sanatorium for the use of the Alabama Sanatorium for Consumption and Tuberculosis conditioned upon the sale of the present site for such use located in Cullman county, Alabama, and consisting of about four hundred and sixty (460) acres heretofore acquired under the authority of Section 777 of the Political Code of Alabama; also to authorize the governor to sell and convey the said land heretofore acquired for such site, and out of the proceeds of such sale to purchase a suitable site for such sanatorium; provided that the sanatorium to be so acquired may be located and established, with the governor's approval, on any lands suitable for such purpose, now owned by the State, and if so located and established on such lands now owned by the State, then the proceeds of such sale to be covered into the general funds of the treasury.

By Mr. Brown:

S. 418. To amend an act approved September 22, 1915, entitled "An act to amend section 541, 543, 544 and 545 of the Code of Alabama."

By Mr. Cliett:

H. 690. To amend an act entitled an act to require the bodies of all dead animals to be burned or buried and to provide a penalty for the failure to do so, approved September 22, 1915.

INDEFINITE POSTPONEMENT OF BILLS.

On motion of Mr. Smith of Lawrence, the further consideration of:

S. 328. To regulate the trials of misdemeanors in Lawrence county.

Was indefinitely postponed by the Senate.

On motion of Mr. Craft, the further consideration of:

S. 402. To prescribe the qualifications, duties and compensations of coroners and their assistants; making it unlawful for anyone to remove or disturb the body of a person whose death is due to violence before an inquest by the coroner if he deems it necessary to make it the duty of the sheriff to execute any, and all, process directed to him by the coroner in the discharge of his official duties; to authorize coroners to punish contempts, to **authorize and empower** coroners to perform autopsies upon the bodies of persons who have died by violence when necessary to ascertain the causes of death, to prescribe the pay of witnesses and jurors in proceedings by coroners; to authorize any person to pick up and to secure the bodies of any deceased person found in any of the waters or streams in any of the counties embraced in this act; and to further provide for their compensation for so doing. This act shall embrace and shall apply only to counties in this State containing not less than eighty thousand nor more than eighty-one thousand inhabitants; according to the last Federal census, and shall repeal all laws and parts of laws in conflict with this act.

Was indefinitely postponed by the Senate.

On motion of Mr. Kelly, the further consideration of:

H. 723. To make the clerk of the circuit court of Baldwin county, ex-officio clerk of the county court, and fixing his fees for such services.

Was indefinitely postponed by the Senate.

BILL RECALLED AND RE-REFERRED.

On motion of Mr. Craft:

S. 611. Regulating the sale and exchange of gasoline, benzine, naphtha, and other liquid motor fuels and providing for the tagging and inspection of such product and creating within the State highway department, the department of liquid fuel inspection and providing penalties for the violation of this act.

Was recalled from the Standing Committee on Revision of Laws and re-referred to the Standing Committee on Finance and Taxation.

RESOLUTION.

Mr. Evins offered the following Senate resolution:

S. R. 127. Be it resolved by the Senate, That the governor be and he is hereby requested to return to the Senate, Senate bill 398.

Which was, under a suspension of the rules, adopted.

MESSAGE FROM THE HOUSE.

Mr. President:

The House requests a further Conference Committee on the disagreement of the two houses to the Senate amendment to the bill:

H. 383. To provide for the general revenue of the State of Alabama.

Fred H. Gormley,
Clerk.

HOUSE MESSAGE.

On motion of Mr. Acker, the Senate accedes to the request of the House for a further Conference Committee on the disagreement of the two houses on the Senate amendment to House bill 383, the title of which is set out in the foregoing message from the House, and the President appointed as further conferees on the part of the Senate, Messrs. Acker, Evins and Moore.

BILLS ON THIRD READING.

The bill:

H. 485. To amend an act entitled an act to designate certain public roads of the State of Alabama as State trunk roads, and to provide the manner in which such roads shall be located, improved and maintained.

Was read a third time at length and passed.

Yeas, 19; nays, 0.

Yeas:

Messrs:

Acker	Cowan	Kelly	Phillips
Baker	Craft	Miller	Prestwood
Beale	Ellis	Morris	Smith (Lawrence)
Butler	Espy	McDowell	Tally
Carlton	Harper	Nance	

—19

Nays:—None.

The bill:

S. 461. To designate a certain public road of Alabama as a State trunk road, and to provide the means by which such State trunk road shall be improved and maintained.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 20; nays, 0.

Yeas:

Messrs:

Acker	Bedsole	Butler	Craft
Beale	Briscoe	Carlton	Gunter

Harper
Leith
Miller

Moore
Morris
McDowell

Nance
Prestwood
Sims

Smith (Coosa)
Smith (Lawrence)
Tally

—20

Nays:—None.

The bill:

S. 456. To provide for the issuance of certificates to practice medicine in this State to persons who have diplomas from a recognized school of medicine and who have had at least six months hospital service as a physician in a hospital then operated or controlled by the United States government during the war with Germany and its allies, and who can furnish recommendations from five reputable physicians who are members of the Alabama Medical Association.

Was read a third time at length and lost.

Yeas, 11; nays, 12.

Yeas:

Messrs:

Baker
Evins
Gunter

Harper
Leith
Moore

Morris
Smith (Coosa)
Smith (Lawrence)

Tally
West

—11

Nays:

Messrs:

Acker
Beale
Briscoe

Carlton
Carmichael
Cowan

Espy
Kelly
Miller

Phillips
Prestwood
Rogers (Sumter)

—12

RECONSIDERATION OF VOTE.

Mr. Evins moved that the vote by which the Senate on yesterday non-concurred in the House amendment to the bill:

S. 399. To fix the salary of the several judges of the Court of Appeals.

And requested a Committee of Conference, be reconsidered, which motion prevailed and said vote was reconsidered.

Mr. Evins then moved that the Senate concur in the following amendment by the House to said Senate bill 399, the title of which is above set out, to-wit:

"Strike out the words \$7,500.00 where they appear and insert the figures \$6,000.00."

Which motion prevailed and said amendment was concurred in by the Senate.

Yeas, 24; nays, 1.

Yeas:

Messrs:

Acker
Baker

Beale
Butler

Carlton
Carmichael

Cowan
Ellis

Espy	Kelly	McDowell	Sims
Evins	Leith	Nance	Smith (Lawrence)
Gunter	Miller	Prestwood	Tally
Harper	Moore	Rogers (Lauderdale)	West

—24

Nays:

Mr. Morris—1.

The bill:

H. 743. To vacate, close and annul as a public highway or street, that portion of 25th street, which lies between the north-west sides of 7th alley and the southwest side of 8th avenue.

Was taken up.

The Committee on Local Legislation offered the following amendment to said bill, to-wit:

Amend the caption of said bill so as to read as follows:

"A bill to be entitled an act to vacate, close and annul as a public highway or street that portion of 25th street which lies between the northwest side of 7th alley and the southeast side of 8th avenue.

And the amendment was adopted.

Yeas, 23; nays, 0.

*Yeas:**Messrs:*

Acker	Espy	Miller	Sims
Beale	Evins	Moore	Smith (Coosa)
Carlton	Gunter	Morris	Smith (Lawrence)
Carmichael	Harper	Nance	Tally
Cowan	Kelly	Prestwood	West
Ellis	Leith	Rogers (Lauderdale)	

—23

Nays:—None.

And the bill, as thus amended, was read a third time at length and passed.

Yeas, 26; nays, 0.

*Yeas:**Messrs:*

Acker	Carmichael	Leith	Rogers (Lauderdale)
Baker	Cowan	Miller	Sims
Beale	Ellis	Moore	Smith (Coosa)
Bedsole	Evins	Morris	Smith (Lawrence)
Briscoe	Gunter	Nance	Tally
Butler	Harper	Prestwood	West
Carlton	Kelly		

—26

Nays:—None.

The bill:

S. 563. To amend section 6647 of the Code of Alabama of 1907.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 24; nays, 0.

Yeas:

Messrs:

Beale	Cowan	Harper	Prestwood
Bedsole	Craft	Kelly	Sims
Briscoe	Ellis	Leith	Smith (Coosa)
Butler	Espy	Miller	Smith (Lawrence)
Carlton	Evins	Moore	Tally
Carmichael	Gunter	Nance	West

—24

Nays:—None.

The bill:

S. 344. To provide for a clerk to the tax assessor in counties having more than 37,000 population and less than 37,400, according to the 1910 Federal census, to prescribe the duties of such clerks and provide for their appointment and compensation.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 23; nays, 0.

Yeas:

Messrs:

Acker	Carmichael	Leith	Rogers (Sumter)
Beale	Craft	Morris	Smith (Coosa)
Bedsole	Espy	McDowell	Smith (Lawrence)
Briscoe	Evins	Nance	Tally
Butler	Harper	Phillips	West
Carlton	Kelly	Rogers (Lauderdale)	

—23

Nays:—None.

The bill:

H. 701. To amend section 1 of an act to designate certain public roads of the State of Alabama as State trunk roads and to provide the manner in which such roads shall be located, improved and maintained, approved August 10th, 1915.

Was read a third time at length and passed.

Yeas, 23; nays, 0.

Yeas:

Messrs:

Acker	Butler	Huddleston	Prestwood
Baker	Carlton	Leith	Rogers (Lauderdale)
Beale	Carmichael	Miller	Smith (Coosa)
Bedsole	Craft	Moore	Tally
Briscoe	Espy	McDowell	West
Brown	Harper	Nance	

—23

Nays:—None.

The bill:

H. 476. To fix the salary of the mayor of cities and towns of more than ten thousand and less than twenty-five thousand population, in counties of more than one hundred thousand population, according to the last Federal or State census, or according to any succeeding Federal or State census.

Was read a third time at length and passed.

Yeas, 22; nays, 0.

Yeas:

Messrs:

Acker	Craft	Morris	Rogers (Sumter)
Baker	Ellis	McDowell	Smith (Coosa)
Bedsole	Griffith	Phillips	Smith (Lawrence)
Brown	Gunter	Prestwood	Tally
Carlton	Huddleston	Rogers (Lauderdale)	West
Carmichael	Miller		

—22

Nays:—None.

The bill:

H. 786. To amend section 16 of an act entitled, "An act to further prescribe and regulate the qualifications, number, designation, duties and powers of the circuit judges of the State and to provide for their election and appointment," approved September 25, 1915.

Was read a third time at length and passed.

Yeas, 22; nays, 0.

Yeas:

Messrs:

Acker	Carmichael	Miller	Rogers (Sumter)
Baker	Craft	McDowell	Smith (Coosa)
Beale	Espy	Nance	Smith (Lawrence)
Bedsole	Gunter	Prestwood	Tally
Briscoe	Huddleston	Rogers (Lauderdale)	West
Brown	Kelly		

—22

Nays:—None.

The bill:

H. 478. To prohibit goats from running at large in precinct 9 of Jefferson county, Alabama, and to prescribe the jurisdiction and a penalty for the violation thereof.

Was read a third time at length and passed.

Yeas, 23; nays, 0.

Yeas:

Messrs:

Acker	Beale	Briscoe	Butler
Baker	Bedsole	Brown	Carmichael

Craft	Huddleston	Nance	Smith (Lawrence)
Espy	Moore	Phillips	Tally
Evins	Morris	Prestwood	West
Harper	McDowell	Smith (Coosa)	—23

Nays:—None.

The bill:

H. 659. To establish an additional State trunk road, or State aid road running from Hamilton, thence to the Illinois Central Railroad crossing at Wiginton, by way of Jackson Military road, as the same now runs.

Was read a third time at length and passed.

Yeas, 28; nays, 0.

Yeas:

Messrs:			
Acker	Carmichael	Harper	Phillips
Baker	Cowan	Huddleston	Rogers (Lauderdale)
Beale	Craft	Kelly	Sims
Bedsole	Espy	Leith	Smith (Coosa)
Briscoe	Evins	Morris	Smith (Lawrence)
Brown	Griffith	McDowell	Tally
Butler	Gunter	Nance	West

—28

Nays:—None.

The bill:

S. 305. To prevent the unlawful search of the person, baggage and property of another, to prevent the use of evidence obtained by an unlawful search and to prescribe the punishment for persons and officers violating the provisions of the act.

Was taken up.

The following amendment offered by the Standing Committee on Judiciary, to-wit:

Amend S. 305 by striking from the caption the following words:

“To prevent the use of evidence obtained by an unlawful search.”

Also amend said bill by striking therefrom section 2.

Was adopted.

Yeas, 25; nays, 0.

Yeas:

Messrs:			
Acker	Craft	Huddleston	Prestwood
Baker	Ellis	Kelly	Rogers (Lauderdale)
Bedsole	Espy	Leith	Sims
Brown	Evins	Morris	Smith (Coosa)
Butler	Griffith	McDowell	Smith (Lawrence)
Carmichael	Harper	Nance	Tally
Cowan			

—25

Nays:—None.

Mr. Bedsole moved to postpone further consideration of said bill and amendment until the next legislative day, which motion prevailed and the further consideration of said bill and amendment was postponed until the next legislative day.

The bill:

S. 350. To create the Alabama art commission, and to prescribe its powers and duties.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 29; nays, 0.

Yeas:

Messrs:

Acker	Carmichael	Huddleston	Nance
Baker	Cowan	Kelly	Rogers (Lauderdale)
Beale	Craft	Leith	Sims
Bedsole	Espy	Miller	Smith (Coosa)
Briscoe	Evins	Moore	Smith (Lawrence)
Brown	Gunter	Morris	Tally
Butler	Harper	McDowell	West
Carlton			

—29

Nays:—None.

The bill:

S. 585. To submit to the qualified voters of the State an amendment to section 93 of the Constitution of the State.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 22; nays, 8.

Yeas:

Messrs:

Beale	Cowan	Leith	Sims
Bedsole	Craft	Miller	Smith (Coosa)
Briscoe	Espy	Phillips	Smith (Lawrence)
Brown	Gunter	Rogers (Lauderdale)	Tally
Butler	Harper	Rogers (Sumter)	West
Carmichael	Kelly		

—22

Nays:

Messrs:

Carlton	Evins	Morris	Nance
Ellis	Moore	McDowell	Prestwood

—8

RESOLUTION.

Mr. Leith offered the following Senate joint resolution:

S. J. R. 128. Whereas, heretofore there was introduced in the House of this Legislature, House bill No. 383, known as the "revenue bill," and,

Whereas, said House as a committee of the whole spent two or three days readjusting said bill and amending same and thereupon reported it favorable, and,

Whereas, said bill passed the House and was sent to the Senate and referred to the Committee on Finance and Taxation, and,

Whereas, said committee has so far been unable to agree on said bill, and,

Whereas, there is so much opposition to said bill that it seems almost impossible to pass the same:

Therefore, be it resolved by the Senate, the House concurring, That there be appointed by the President of the Senate five members of the Senate and that there be appointed by the Speaker of the House five members of the House which shall compose a committee of ten and said committee shall meet in session at an early date to be agreed upon by the committee and that said committee is hereby empowered to redraft and draw up a revenue bill to take the place of and be instead of House bill No. 383, and that on the completion of their work of drawing and drafting said bill, said committee are to report the same to the Senate and House.

Which was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has non-concurred in the Senate amendment to the bill:

H. 12. To amend an act entitled, "An act to amend section 3317 of the Code of Alabama, 1907. Relates to the publication of receipts and disbursements, by counties, approved September 25, 1915.

And asks for a Committee of Conference. The Speaker has named as a Conference Committee on part of the House, Messrs. Baker and Matthews of Clarke.

Fred H. Gormley,
Clerk.

HOUSE MESSAGE.

On motion of Mr. Carmichael, the Senate accedes to the request of the house for a Committee of Conference on the disagreement of the two houses on the Senate amendment to House bill No. 12, the title of which is set out in the foregoing message from the House, and the President of the Senate appointed as conferees on the part of the Senate Messrs. Nance and Phillips.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has non-concurred in the Senate amendment to the bill:

H. 712. To provide for the consolidation of adjacent or contiguous cities having each a population between four thousand and six thousand five hundred, according to the last preceding official and published Federal census, and to provide for the organization and officers of such consolidated city.

And requests Committee of Conference. The Speaker has named as a Committee of Conference on part of the House Messrs. Lynne, Sparks and Tompkins.

Fred H. Gormley,
Clerk.

HOUSE MESSAGE.

On motion of Mr. Carmichael, the Senate accedes to the request of the House for a Committee of Conference on the disagreement of the two houses on the Senate amendments to the bill, House bill No. 712, the title of which is set out in the foregoing message from the House, and the President of the Senate appointed as conferees on the part of the Senate, Messrs. Smith of Lawrence, Gunter and Griffith.

REPORT FROM COMMITTEE ON ENGROSSED BILLS.

Mr. President:

Your Standing Committee on Engrossed bills beg leave to report that said committee, in session, have examined and compared the following engrossed bills with the originals and find same correctly engrossed, to-wit:

S. 537. To create the office of county solicitor in all counties having a population of not less than eighteen thousand one hundred and twenty-five and not more than eighteen thousand nine hundred according to the Federal census of 1910, or any subsequent Federal census, and to provide for the election of such solicitor by the qualified electors of such counties and prescribe his qualifications and duties and fix his compensation.

S. 561. To create a maritime lien for compensatory damages in favor of the personal representative of any person suffering death by the wrongful act, omission, or negligence, whilst in the territorial waters of this State, of any kind of boat, vessel, barge or other floating property, that is within the admiralty and maritime jurisdiction of the United States.

S. 570. To amend sections five and six of an act entitled an act to establish an inferior court in precincts 15 and 20 in Cal-

houn county, Alabama, in lieu of all justices of the peace, and notaries public with power of justice of the peace, in said precincts, and to define the jurisdiction and powers of said court, and the judge thereof, to provide for the execution of the process of said court and the operation thereof, to regulate the rendition of judgments by default, to provide for the election, term of office, qualifications and compensation of the officers of said court, and the mode of their selection, and to abolish the office of justice of the peace, and notary public with power of justice of the peace in said precincts. Court established.

S. 574. To authorize the board of revenue of Tuscaloosa county to exempt from labor on the roads of said county all persons who shall pay the secretary of said board, for the road and bridge fund of said county not less than three dollars and fifty cents and not more than seven dollars and fifty cents as may be determined by the board of revenue of said county, on or before the first day of March in each year.

R. B. Evins,
Chairman.

REPORT FROM COMMITTEE ON ENROLLED BILLS.

Mr. President:

Your Standing Committee on Enrolled Bills, beg leave to report that said committee, in session, have compared the following enrolled bills, with the engrossed and original bills, respectively, and find same correctly enrolled, to-wit:

S. 443. To amend sections 2 and 3 of an act entitled "An act to establish a board of revenue for Shelby county, and to abolish the court of county commissioners thereof," passed at the session of 1911, being in Local Acts of Alabama, page 154, said amendment making the president and members of said board elective by the qualified voters of said county, and fixing the term of office of said president and members of said board and the time of their election and providing that in case of a vacancy in the office of president or a member of said board, and providing further that the president and members of the board now holding office shall hold their said office until their successors are elected and qualified under the provisions of this act.

S. 399. To fix the salary of the several judges of the Court of Appeals.

S. 205. To regulate fraternal beneficiary societies, orders or associations.

Chas. McDowell, Jr.,
Chairman.

SIGNING OF BILLS.

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the following bills:

S. 443. To amend sections 2 and 3 of an act entitled, "An act to establish a board of revenue for Shelby county, and to abolish the court of county commissioners thereof," passed at the session of 1911, being in Local Acts of Alabama, page 154, said amendment making the president and members of said board elective by the qualified voters of said county, and fixing the term of office of said president and members of said board and the time of their election and providing that in case of a vacancy in the office of president or a member of said board; and providing further that the president and members of the board now holding office shall hold their said office until their successors are elected and qualified under the provisions of this act.

S. 399. To fix the salary of the several judges of the Court of Appeals.

S. 205. To regulate fraternal beneficiary societies, orders or associations.

RECESS.

At 12:25 P. M., on motion of Mr. Morris, the Senate took a recess until 2:30 o'clock this afternoon.

AFTERNOON SESSION—FORTY-SECOND DAY.

Wednesday, September 3, 1919.

The Senate reassembled at 2:30 o'clock P. M., Lieutenant Governor Miller presiding.

ROLL CALL.

On a call of the roll of the Senate, 34 members answered to their names, a quorum of the Senate.

INTRODUCTION OF BILLS.

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Leith:

S. 665. To provide for welfare work among the State convicts and to make an appropriation therefor.

Finance and Taxation.

By Mr. Prestwood:

S. 666. To further regulate stock law districts in the State of Alabama.

Agriculture.

By Mr. Rogers of Sumter:

S. 667. To provide for making appropriations to the University of Alabama.

Finance and Taxation.

By Mr. Harper:

S. 668. To authorize and direct the sheriffs of all counties having a population of not less than 26,940 nor more than 27,000, according to the last Federal census or any subsequent census, to employ a janitor to keep the jail and grounds of said jails in a cleanly and sanitary condition; and to authorize and direct the boards of revenue or commissioners courts of said counties to pay the monthly salaries of said janitors by warrants issued therefor by the said boards of revenue or like governing bodies.

Local Legislation.

By Mr. Baker:

S. 669. To empower the courts of county commissioners or bodies of like jurisdiction in the several counties of Alabama, to require the assessment and collecting of a dog tax in their respective counties, to be paid into the road fund of such counties, and to provide a lien for the collection of the same, and how such tax shall be applied.

Finance and Taxation.

By Mr. Acker:

S. 670. To amend sections 3 and 4 of an act entitled, "An act to change the name of the railroad commission of Alabama to the Alabama public service commission, and to enlarge its authority, powers and jurisdiction," approved September 25, 1915.

Judiciary.

By Mr. Rogers of Lauderdale (by request):

S. 671. To make it unlawful for pharmacists in Alabama to work at their profession, or for employers to allow them to work at such profession, for more than eleven hours per day and more than sixty-six hours per week, and to prescribe punishment for such pharmacists or their employers who violate the provisions of this act.

Public Health.

By Mr. Leith:

S. 672. To provide for the issuance of certificates to practice medicine in this State to persons who have diplomas from a recognized school of medicine and who have had at least six months hospital service as a physician in a hospital then operated or controlled by the United States government during the war with Germany and its allies, and who can furnish recommendations from five reputable physicians who are members of the Alabama Medical Association.

Public Health.

By Mr. Prestwood (by request):

S. 673. To provide for the election of county superintendent of education for Conecuh county at the general election in 1920, and every four years thereafter by the qualified electors of said Conecuh county.

Education.

By Mr. Craft:

S. 674. To fix the salaries of attorney general, State auditor, secretary of State, State treasurer, superintendent of education, commissioner of agriculture and industries, and provide the method of payment of same.

Finance and Taxation.

By Mr. Carmichael:

S. 675. To fix and equalize the salaries of certain executive officers, heads of departments in this State, and the secretary to the governor, and to make an appropriation to cover such salaries.

Finance and Taxation.

By Mr. Briscoe:

S. 676. To prescribe the amount of solicitors' fees in cases of conviction for carrying concealed a pistol about the person.

Finance and Taxation.

Also:

S. 677. To amend section 7798 of the Code of Alabama, 1907.

Judiciary.

Also:

S. 678. To further provide for and regulate the duties of the courts of the county commissioners or boards of revenue, in the purchase and preparation of food supplies for feeding prisoners under charge, or under conviction, of any indictable offense, confined in the county jails over which they have jurisdiction, and in making provision out of the county treasury for suitable food, clothing, lodging, medicine, and medical attention, for such of the convicts sentenced to jail, with or without hard labor for the county, as are not let to hire, under the provisions of article 5,

chapter 191, of the Criminal Code of Alabama, and in the employment of such convicts, sentenced to hard labor for the county, as are ordered to labor on the public works of the county, and to further regulate and make provision for the reception, and safe keeping and feeding of convicts while being conveyed to the penitentiary, and to further regulate, the accounting and payment for feeding prisoners in the county jails.

Judiciary.

Also:

S. 679. To further provide for and regulate the safekeeping, care and custody of prisoners in jail, and to provide for the hygiene sanitation cleanliness healthfulness management and security of all jails including town and city jails in towns and cities having a population of less than ten thousand and to further prescribe and define the duties of the State prison inspector, and to provide for the compensation of deputy jailers, watchman or guards in certain cases and under certain conditions.

Judiciary.

REPORTS OF COMMITTEES.

Mr. Kelly, chairman of the Standing Committee on Public Roads and Highways, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:
By Mr. Stoddard:

H. 761. To provide for the more efficient construction and maintenance of the public roads and bridges of Crenshaw county; to provide for the election of a county engineer, to fix his salary and term of office and to prescribe his duties; to prescribe the duties of the commissioners court under this act; to provide revenue for the roads and bridges of the county; to levy a commutation fee of five dollars in lieu of road work; to levy a vehicle license tax for road purposes; to prescribe the duties of the tax assessor, tax collector, probate judge and sheriff under this act and to fix their compensation; to provide for the assessment and collection of the taxes under this act; to provide for the punishment of persons violating the provisions of this act; to provide for the disposition of fines and forfeitures collected under this act and for the hire of county convicts under this act and to provide such other duties as may be necessary for the better and more efficient construction and maintenance of the public roads and bridges of the county.

By Mr. Hare:

H. 880. To provide for the construction, maintenance and control of the public roads and bridges of all counties in the State

of Alabama having a population of not less than 27,155 and not more than 27,200, by the last, or any subsequent Federal census; to further define the duties of the courts of county commissioners, or like governing bodies, of all such counties; to provide for the levy and collection of a vehicle license tax; to provide for the levy and collection of a per capita road tax in commutation of road duty; and to regulate the performance of road duty in such counties by the citizens thereof.

By Mr. Robertson:

H. 861. To establish a trunk highway beginning at Cullman, Cullman county, and running to Commercial, Walker county, Alabama.

By Mr. Hollis:

H. 323. To provide for the establishment, discontinuance, construction, use, working and maintenance of the public roads and bridges of Lamar county, Alabama. To define the duties and powers of the court of county commissioners of Lamar county with regard to same, and to fix penalties for violation of the rules and regulations of the public road law of Lamar county and the State of Alabama.

By Mr. Hollis:

H. 481. To amend an act entitled an act to amend section 1 of an act entitled an "Act to designate certain public roads of the State, as State trunk roads and to provide the manner in which the State roads shall be located, improved and maintained, approved September 10th, 1915," which amended act was approved February 19, 1919.

By Mr. Huey:

H. 270. To amend section one of an act entitled, "An act to provide for building and maintaining public highways through incorporated towns and cities by boards of revenue and courts of county commissioners in all counties of two hundred thousand inhabitants or more, out of any money at any time subject to the disposal of such boards of revenue and courts of county commissioners for road purposes.

By Mr. Arnold (with substitute):

H. 401. To create a State highway department; to define its powers and duties; to authorize State aid in the construction and maintenance of public roads and bridges; to create a State highway fund and to provide for its expenditure; to impose certain duties upon county and municipal officials and to provide a penalty for their failure to discharge same; to authorize the State highway department to work State convicts upon public roads and bridges as is now or may hereafter be provided by law; to assent to the act of Congress approved July 11, 1916, known as

the "Federal aid law" and to authorize the State highway department to co-operate with the United States government in the construction and maintenance of rural post roads; and to repeal the act approved April 5, 1911, entitled "An act to provide for the creation of a State highway commission, defining its powers, duties and compensations, and methods to be adopted for control of same and for appropriation and maintenance of the same and to give State aid and State supervision over all public roads, culverts and bridges of the State for construction of a permanent nature and the maintenance thereof wherein any portion of the appropriation hereinafter made shall be used for such purpose; and to make an appropriation therefor out of the net revenue of the convict fund of the State and from other sources.

Mr. Bedsole, chairman of the Standing Committee on Temperance, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Bedsole:

S. 653. To amend section 15 of an act "To further suppress the evils of intemperance; to restrict the receipt, possession and delivery of spirituous, vinous, malted, fermented or other intoxicating or prohibited liquors and beverages and fixing punishment and penalties," approved January 25th, 1919.

Mr. Prestwood, chairman of the Standing Committee on Constitution and Constitutional Revisions and Amendments, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. West (by request):

S. 593. To propose and submit to the qualified electors of the State of Alabama at an election to be held on the first Monday after the expiration of three months from and after the final adjournment of the present session of the Legislature at which this amendment is proposed, an amendment to the Constitution of the State of Alabama, whereby the following municipal corporations, Birmingham, Bessemer, Huntsville, Florence, Mobile and Selma, in the State of Alabama may levy and collect a rate of taxation on the property situated therein not exceeding in the total in any one year two (2) per centum of the value of such property as assessed as provided by the Constitution and statutes now or hereafter enacted pursuant to the Constitution; provided, that the total rate of taxation levied by such municipal corporations shall not in any one year exceed one and one-half (1½)

per centum, unless the rate in excess thereof shall have been submitted to and authorized by ballot by the qualified electors of such municipal corporations, respectively, at elections to be held by them from time to time for such purposes and to provide for such elections.

Mr. Phillips, chairman of the Standing Committee on Privileges and Elections, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. West:

S. 596. To regulate the holding of elections in all counties in this State having more than 35,000 population, according to the last or any succeeding Federal census.

By Mr. Prestwood:

S. 466. To reapportion the representatives in the House of Representatives and in the Senate of the State of Alabama in compliance with the requirements of the Constitution.

H. 748. To amend section two of an act entitled "An act to authorize the holding of elections by municipal corporations in the State of Alabama, for the purpose of obtaining authority to issue bonds, for public purposes herein defined, and to provide for holding such elections, and declaring the result thereof, and to authorize the issue of such bonds when a majority of the voters participating in such elections vote in favor of the issue of such bonds, and regulate the issue, execution, sale and security of such bonds," approved August 26, 1909, as amended by an act approved February 20, 1915.

Mr. West, chairman of the Standing Committee on Local Legislation, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Benners:

H. 792. To take away from all inferior courts created in lieu of justices of the peace in any one or more of the precincts of Jefferson county, Alabama, except any such court so created for one or more of the following precincts, to-wit: 1, 2, 3, 4, 5, 7, 24, 27, 33, 35, 40, 41, 45, 52, 29, 49, 51, 53 and 55 criminal and quasi-criminal jurisdiction.

By Mr. Benners:

H. 788. To abolish the second division of the municipal court of Birmingham, Alabama.

Mr. Phillips, chairman of the Standing Committee on Privileges and Elections, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with an adverse report, and it was read a second time and placed on the adverse calendar, to-wit:

By Mr. Phillips:

S. 81. For the submission of the question, convention or no convention to a vote of the qualified electors of the State of Alabama, and to provide for the holding of a convention to revise and amend the Constitution of the State of Alabama, and to provide for the election of delegates to such convention.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has originated and passed the following bill:

H. 98. To submit to the qualified voters of Alabama at a special election to be held ninety days after the final adjournment of the Legislature of Alabama and upon the call of the governor for their consideration an amendment to the Constitution of Alabama in substance and to the effect that certain persons who served in the military or naval service of the United States for a period of not less than four months between January 1, 1917, and November 11, 1918, shall be exempted from the payment of all poll taxes until September 30, 1923.

And ordered same sent forthwith to the Senate without engrossment.

Fred H. Gormley,
Clerk.

HOUSE MESSAGE.

The House bill in the foregoing House message was read once and referred to appropriate standing committee, as follows:

H. 98. To the Committee on Constitution, Constitutional Revision and Amendments.

NOTICE OF MOTION TO TAKE FROM ADVERSE CALENDAR.

Mr. Phillips gave to the Senate the following notice in writing:

"Notice is hereby given that on the next legislative day motion will be made to take from the adverse calendar, have the same read a second time and placed on the regular calendar, the bill:

S. 81. For the submission of the question convention or no convention to a vote of the qualified electors of the State of Ala-

bama, and to provide for the holding of a convention to revise and amend the Constitution of the State of Alabama, and to provide for the election of delegates to such convention.

B. T. Phillips."

RESOLUTION.

Mr. Evins offered the following Senate resolution:

S. R. 130. Whereas, all proposed amendments to the Federal Constitution which have been submitted to this Legislature have received the mature consideration of, and have been acted upon by, this Senate; and,

Whereas, but few legislative days of this session remain and many bills of importance are yet to be acted upon; and,

Whereas, further consideration of the pending proposed amendment to the Federal Constitution will serve only to impede the transaction of necessary public business to the detriment of the general welfare:

Therefore,

Be it resolved, by the Senate of Alabama, That the pending proposed amendment to the Constitution of the United States shall not be brought up in; submitted, to considered by or acted upon by this Senate after the 42nd Legislative day, except by a majority vote of all members elected to the Senate.

Which was read and referred to the Standing Committee on Rules.

RESOLUTION.

Mr. Acker offered the following Senate joint resolution:

S. J. R. 132. Resolved by the Senate, the House concurring, that when the Legislature adjourns today, it adjourn to meet again on Friday, September 5th, 1919, at 10:00 A. M.

Which was, under a suspension of the rules, adopted, and ordered sent forthwith to the House without engrossment.

Mr. Leith offered the following resolution:

S. R. 131. Be it resolved by the Senate, That House bill 407 be set down for a special, paramount and continuing order for the forty-fourth legislative day.

Which was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has appointed as conferees on part of the House on the disagreement of the two houses on the Senate amendment

to the bill, H. 383. To provide for the general revenue of the State of Alabama, Messrs. Murphree, Dickson and Arnold.

Fred H. Gormley,
Clerk.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has concurred in and adopted the S. J. R. No. 132, relative to the adjournment of the two houses until Friday, September 5th, at 10 A. M.

Fred H. Gormley,
Clerk.

MOTION TO RECONSIDER VOTE.

Mr. Phillips moved to reconsider the vote by which the bill: S. 456. To provide for the issuance of certificates to practice medicine in this State to person who have diplomas from a recognized school of medicine and who have had at least six months hospital service as a physician in a hospital then operated or controlled by the United States government during the war with Germany and its allies, and who can furnish recommendations from five reputable physicians who are members of the Alabama Medical Association.

Was lost during the morning session, which motion was lost and the Senate refused to reconsider said vote.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has passed the following Senate bill:

S. 496. To extend the term of office in all cities, having commission form of government, of the commissioner to be elected in the year 1919, having a population of not less than 50,500, nor more than 100,000, according to the last Federal census, and to provide for an election at the end of the term as extended.

And returns same herewith to the Senate.

Fred H. Gormley,
Clerk.

SPECIAL ORDER.

The Senate proceeded to consider the special order on today's calendar, which was:

S. 306. To define optometry; to provide for the regulation of the practice; to provide for the examination of applicants to practice optometry in Alabama; to provide for the issuing of licenses and certificates and the registration and display there-

of; to provide for reports by probate judges of said registrations; to provide for the revoking or refusing to issue said licenses and certificates; to provide for a State board of optometry; to provide for the appointment of members thereof, and prescribe their duties, powers, qualifications, terms of office and compensation; to provide for the disposition of fees collected by said board; to provide fees and funds for enforcing said act; to provide for enforcing said act; to allow the board to enter into reciprocity agreements with like boards of other states; to provide penalties and punishments for violations of the provisions of said act; and to repeal all general and local laws in conflict with said act."

Mr. Leith offered the following amendment to said bill, to-wit:

Amend by striking out of said bill the following words:

"Revoking or refusing to issue said licenses and certificates."

Which was adopted.

Yeas, 20; nays, 2.

Yeas:

Messrs:

Baker	Craft	Leith	Rogers (Lauderdale)
Bedsole	Ellis	Moore	Smith (Coosa)
Brown	Gunter	Morris	Smith (Lawrence)
Carlton	Harper	McDowell	Tally
Cowan	Kelly	Nance	West

—20

Nays:

Messrs:

Huddleston	Sims
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—2

Mr. Morris offered the following amendment to said bill, to-wit:

Amend S. 306 by adding to section 2 thereof the words:

"Provided, that any person who has been engaged in the business of fitting glasses, and who has been so employed and resided for five continuous years in any county in Alabama, shall be exempt from the provisions of this act.

Mr. Brown moved to lay the amendment offered by Mr. Morris on the table, which motion to table was lost.

And the amendment offered by Mr. Morris was then adopted.

Yeas, 16; nays, 11.

Yeas:

Messrs:

Baker	Gunter	Leith	Rogers (Lauderdale)
Bedsole	Harper	Moore	Sims
Carlton	Huddleston	Morris	Smith (Lawrence)
Ellis	Kelly	McDowell	Tally

—16

Nays:

Messrs:

Beale	Cowan	Evins	Smith (Coosa)
Briscoe	Craft	Nance	West
Brown	Espy	Rogers (Sumter)	

—11

Mr. Huddleston offered the following amendment to said bill:
Amend S. 306:

Provided, no optometrist licensed under this board shall examine or fit glasses on the eyes of any one under the age of forty years or who has a disease instead of simple error of refraction causing the trouble of sight.

Mr. Brown moved to lay the amendment offered by Mr. Huddleston on the table, which motion prevailed and said amendment was laid on the table.

And said bill, as amended, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas, 21; nays, 8.

Yeas:

Messrs:

Brown	Espy	Miller	Phillips
Butler	Evins	Moore	Rogers (Sumter)
Carlton	Gunter	Morris	Smith (Coosa)
Cowan	Kelly	McDowell	Smith (Lawrence)
Craft	Leith	Nance	West
Ellis			

—21

Nays:

Messrs:

Beale	Carmichael	Huddleston	Sims
Bedsole	Harper	Prestwood	Tally

—8

The bill:

S. 374. To submit to the qualified voters of the State of Alabama, at a special election to be held on the proclamation of the governor of Alabama, for their consideration, an amendment to the Constitution of Alabama, empowering the Legislature to authorize counties, which have or which shall have taxable property in such counties of one hundred millions of dollars annually, or more, according to the assessments by such counties for the year 1918 A. D., or according to any annual assessment hereafter made, to engage in, lend their credit, grant public money or other thing of value in aid of the acquirement, construction, purchase, ownership, lease, maintenance, use, control and operation of highways, railroads, by any kind of motive power, conveyance or appliance; freight stations; passenger stations; wharves; piers; docks; warehouses; grain elevators; storage tanks; team trucks;

and all other facilities and structures appurtenant thereto, in aid of commerce; the dredging of the approaches to the water terminals; to traverse or cross adjacent counties; and to increase the limit of county indebtedness from $3\frac{1}{2}$ to $4\frac{1}{2}$ per cent of such taxable property.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 24; nays, 3.

Yeas:

Messrs:

Beale	Craft	Leith	Rogers (Sumter)
Bedsole	Ellis	Miller	Sims
Briscoe	Espy	Moore	Smith (Coosa)
Butler	Gunter	Morris	Smith (Lawrence)
Carlton	Harper	McDowell	Tally
Carmichael	Kelly	Nance	West

—24

Nays:

Messrs:

Huddleston	Phillips	Prestwood
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—3

The bill:

S. 557. To authorize the commissioners' court of Conecuh county, Alabama, to pay out of the general fund of said county to the tax assessor of said county, the sum of six hundred dollars per annum for extra assistance in his said office.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 26; nays, 0.

Yeas:

Messrs:

Baker	Cowan	Kelly	Phillips
Beale	Craft	Miller	Prestwood
Bedsole	Ellis	Moore	Smith (Coosa)
Briscoe	Evins	Morris	Smith (Lawrence)
Brown	Gunter	McDowell	Tally
Carlton	Harper	Nance	West
Carmichael	Huddleston		

—26

Nays:—None.

The bill:

S. 513. To repeal an act of the Legislature of the State of Alabama, to permit county commissioners in any county of Alabama, which has or may have an area of one thousand five hundred seventy-five square miles, or more, to succeed themselves in office if they are properly qualified and elected, approved September 28, 1915.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 25; nays, 0.

Yeas:

Messrs:

Beale	Evins	Miller	Prestwood
Bedsole	Gunter	Moore	Sims
Briscoe	Harper	Morris	Smith (Coosa)
Carlton	Huddleston	McDowell	Smith (Lawrence)
Cowan	Kelly	Nance	Tally
Ellis	Leith	Phillips	West
Espy			

—25

Nays:—None.

The bill:

S. 475. To regulate and define the power and jurisdiction of constables in all counties in the State of Alabama having a population of 200,000 or more, according to the last or any future Federal census.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 24; nays, 0.

Yeas:

Messrs:

Acker	Cowan	Leith	Prestwood
Baker	Espy	Miller	Sims
Bedsole	Evins	Moore	Smith (Coosa)
Briscoe	Gunter	Morris	Smith (Lawrence)
Carlton	Harper	McDowell	Tally
Carmichael	Kelly	Nance	West

—24

Nays:—None.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has concurred in and adopted the amendment proposed by the governor to the bill:

H. 687. To conserve and save from depletion the public oyster reefs of Alabama, and to further regulate the taking of oysters from the public reefs of the State, and for the protection of and extension of such reefs, and the development of the oyster industry, to declare such oysters the property of the State and to prescribe the condition under which such title may be divested and such oysters become articles of commerce, to provide for the payment of a license and tax by those catching, selling, or transporting the same, the rules of evidence on the trials of those violating the provisions of this act, who may try such cases, provide

penalties for the violation of this act, and that all expenses incurred in carrying the provisions of same into effect shall be paid out of the oyster fund.

Said governor's amendment being as follows:

"I recommend that section 19 be stricken therefrom, inasmuch as it provides for a special appropriation of \$30.00 a month for a stenographer or secretary of the department of conservation. If any such special service is needed it can be provided for under existing law and regulations."

by a vote of Yeas, 77; nays, 0, which was a majority of the whole number elected to the House.

And sends same herewith to the Senate.

Fred H. Gormley,
Clerk.

HOUSE MESSAGE.

On motion of Mr. Craft, the Senate concurred in and adopted the amendment proposed by His Excellency, the governor, to House bill 687, the title of which is set out in the foregoing message from the House, and said amendment being also set out in the foregoing message from the House.

Yeas, 24; nays, 0.

Yeas:

Messrs:

Acker	Cowan	Leith	Prestwood
Baker	Craft	Moore	Sims
Bedsole	Espy	Morris	Smith (Coosa)
Briscoe	Evins	McDowell	Smith (Lawrence)
Carlton	Harper	Nance	Tally
Carmichael	Kelly	Phillips	West

—24

Nays:—None.

Which was a majority of the whole number elected to the Senate.

BILLS ON THIRD READING RESUMED.

The bill:

S. 222. To amend sections 11, 18 and 32 of an act entitled, "An act to prescribe the qualifications of jurors and regulate the selection, drawing and summoning of jurors, and prescribe the qualifications and provide for the appointment of jury commissioners and clerks of such commissions and regulate the empanelling of grand and petit juries in all the courts of this State," approved August 31st, 1909.

Was taken up.

The Standing Committee on Revision of Laws offered the following amendment to said bill, to-wit:

Amend the bill (S. 222) by striking out of section 11 the words:

"or who has not paid all poll tax due from him."

Which was adopted.

Yeas, 21; nays, 0.

Yeas:

Messrs:

Baker	Carmichael	Harper	Rogers (Sumter)
Beale	Cowan	Kelly	Smith (Coosa)
Bedsole	Craft	Leith	Smith (Lawrence)
Briscoe	Espy	Morris	Tally
Butler	Gunter	Phillips	West
Carlton			

—21

Nays:—None.

And said Committee on Revision of Laws also offered the following amendment to said bill:

And by striking out of section 32 the word "Eighteen" and inserting in lieu thereof the word "Twenty-four."

Which was adopted.

Yeas, 20; nays, 0.

Yeas:

Messrs:

Baker	Carlton	Leith	Sims
Beale	Carmichael	Miller	Smith (Coosa)
Bedsole	Craft	Moore	Smith (Lawrence)
Briscoe	Gunter	Morris	Tally
Butler	Harper	Nance	West

—20

Nays:—None.

And said Committee on Revision of Laws also offered the following amendment to said bill:

And by adding to said section 32 the words: "and summoned" next after the words: "including those drawn."

Mr. Carmichael moved to table said amendment, which motion was lost.

And the amendment was then adopted.

Yeas, 22; nays, 2.

Yeas:

Messrs:

Acker	Espy	Miller	Prestwood
Baker	Evins	Moore	Smith (Coosa)
Briscoe	Gunter	Morris	Smith (Lawrence)
Butler	Harper	Nance	Tally
Carmichael	Kelly	Phillips	West
Cowan	Leith		

—22

Nays:
Messrs:
Beale

Sims

—2

And said Committee on Revision of Laws also offered the following amendment to said bill, to-wit:

And by adding the words "and summoned" next after the words: "with the regular jurors drawn" in said section 32.

Which was adopted.

Yeas, 22; nays, 0.

Yeas:

Messrs:

Acker
Baker
Bedsole
Briscoe
Butler
Carmichael

Cowan
Espy
Harper
Kelly
Leith
Miller

Morris
Nance
Phillips
Prestwood
Rogers (Lauderdale)

Rogers (Sumter)
Smith (Coosa)
Smith (Lawrence)
Tally
West

—22

Nays:—None.

Mr. Leith offered the following amendment to said bill:

Amend by striking out of said bill the following words:

"There is any mistake in the name of any juror drawn or summoned none nor all of these grounds shall be sufficient to quash the venire."

Mr. Tally moved to lay the amendment offered by Mr. Leith on the table, which motion prevailed and said amendment was laid on the table.

And the bill, as amended, was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 22; nays, 0.

Yeas:

Messrs:

Acker
Butler
Carlton
Carmichael
Cowan
Craft

Ellis
Evins
Gunter
Harper
Leith
Miller

Morris
McDowell
Nance
Phillips
Prestwood

Sims
Smith (Coosa)
Smith (Lawrence)
Tally
West

—22

Nays:—None.

RESOLUTION.

Mr. Rogers of Sumter offered the following Senate resolution:

S. 133. Resolved, That all committees that have bills in their possession sit during the recess on tomorrow, Thursday, September 4th, 1919, for the purpose of considering such bills that these bills may be reported to the Senate on Friday, September 5th, 1919.

And said resolution was, under a suspension of the rules, adopted.

BILLS ON THIRD READING RESUMED.

The bill:

S. 580. To amend an act approved February 18th, 1919, entitled, "An act to authorize the trial court to impose an indeterminate sentence in all felonies for which the court fixes the punishment; to provide for the parole of convicts under the indeterminate sentence, and to authorize the board of pardons to establish rules in the matter of paroles."

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 26; nays, 0.

Yeas:

Messrs:

Acker	Ellis	Miller	Rogers (Sumter)
Beale	Espy	Morris	Sims
Bedsole	Evins	McDowell	Smith (Coosa)
Butler	Gunter	Nance	Smith (Lawrence)
Carlton	Harper	Phillips	Tally
Cowan	Kelly	Prestwood	West
Craft	Leith		

—26

Nays:—None.

The bill:

H. 402. To make the sheriff's fees the same in the county court of Lauderdale county, Alabama, as they are in the circuit court.

Was read a third time at length and passed.

Yeas, 28; nays, 0.

Yeas:

Messrs:

Acker	Craft	Leith	Rogers (Lauderdale)
Beale	Ellis	Moore	Rogers (Sumter)
Bedsole	Espy	Morris	Sims
Briscoe	Evins	McDowell	Smith (Coosa)
Brown	Gunter	Nance	Smith (Lawrence)
Butler	Harper	Phillips	Tally
Carlton	Kelly	Prestwood	West

—28

Nays:—None.

The bill:

S. 512. To repeal an act of the Legislature of the State of Alabama, entitled an act requiring the election of members of courts of county commissioners, or boards of revenue of counties in the State, having, or may hereafter have an area of one thousand five hundred seventy-five square miles, or more, by the voters only of the district which such commissioners represent, and to make such officers ineligible to election as their own successors, approved September 10, 1915.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 27; nays, 0.

Yeas:

Messrs:

Acker	Craft	Leith	Rogers (Sumter)
Beale	Ellis	Miller	Sims
Bedsole	Espy	Moore	Smith (Coosa)
Briscoe	Evins	Morris	Smith (Lawrence)
Butler	Gunter	McDowell	Tally
Carlton	Harper	Phillips	West
Cowan	Kelly	Rogers (Lauderdale)	

—27

Nays:—None.

The bill:

S. 506. To authorize the compiling of any or all fiduciary fees, and witness fees, in the hands of registers in chancery, probate judges and clerks of courts of record, in all counties of the State of Alabama which have a population of more than two hundred thousand, or which may hereafter have a population of more than two hundred thousand, which fees have been in the hands of any of such officials, or have been paid into their hands by any former official of whom they are the legal successor, and are unclaimed for a period of three years, and to provide for the payment of same by such officers into the treasury of their respective counties.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 27; nays, 0.

Yeas:

Messrs:

Acker	Cowan	Kelly	Rogers (Sumter)
Beale	Craft	Leith	Sims
Bedsole	Ellis	Miller	Smith (Coosa)
Briscoe	Espy	Moore	Smith (Lawrence)
Brown	Evins	Morris	Tally
Butler	Gunter	McDowell	West
Carlton	Harper	Rogers (Lauderdale)	

—27

Nays:—None.

The bill:

H. 546. To amend sections 3, 7 and 11 of an act entitled an act to establish a board of revenue for Sumter county, and for the abolishment of the court of county commissioners of said county, approved February 22nd, 1919.

Was read a third time at length and passed.

Yeas, 24; nays, 0.

Yeas:

Messrs:

Acker	Carlton	Harper	Rogers (Sumter)
Beale	Cowan	Kelly	Sims
Bedsole	Craft	Morris	Smith (Coosa)
Briscoe	Ellis	McDowell	Smith (Lawrence)
Brown	Espy	Nance	Tally
Butler	Evins	Rogers (Lauderdale)	West

—24

Nays:—None.

The bill:

S. 464. To require the highway commission or highway department, to locate, construct and maintain the State highways in Alabama so as to connect the several county seats and in the border counties to connect county seats of the several counties at or about the State line with an improved road in the border states, and to require an equitable division of time, money and labor in the prosecution of such work.

Was taken up.

Mr. Tally offered the following substitute for said bill, to-wit:

A BILL

To be entitled an act to require the highway commission or highway department to locate, construct and maintain the State highways in Alabama so as to connect the several county seats and in the border counties to connect county seats of the several border counties at or about the State line with an improved road in the border States, and to require an equitable division of time, money and labor in the prosecution of such work, said roads to be constructed and maintained without expense to the several counties.

Be it enacted by the Legislature of Alabama:

Section 1. That the State highway commission or highway department, shall locate, construct and maintain the highways or State trunk roads so as to connect all the county seats with a permanent road and to connect the county seats of the several border counties at or near the State line with an improved road in the border states.

Section 2. It shall be the duty of said State highway commission or highway department to equitably apportion among the several counties the expenditures of both money and labor and the time or times of making such investments; said roads to be constructed and maintained without expense to the several counties.

Which was adopted.

Yeas, 26; nays, 0.

Yeas:

Messrs:

Acker	Cowan	Miller	Rogers (Sumter)
Beale	Craft	Morris	Sims
Bedsole	Ellis	McDowell	Smith (Coosa)
Briscoe	Espy	Nance	Smith (Lawrence)
Brown	Gunter	Prestwood	Tally
Butler	Harper	Rogers (Lauderdale)	West
Carlton	Kelly		

—26

Nays:—None.

And said bill, as thus amended, was read a third time at length and passed.

Yeas, 25; nays, 0.

Yeas:

Messrs:

Acker	Cowan	Leith	Rogers (Sumter)
Beale	Craft	Miller	Sims
Bedsole	Ellis	Moore	Smith (Coosa)
Briscoe	Espy	Morris	Smith (Lawrence)
Brown	Harper	McDowell	Tally
Butler	Kelly	Rogers (Lauderdale)	West
Carlton			

—25

Nays:—None.

The bill:

S. 530. To make an appropriation for the relief of John W. Abercrombie.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 28; nays, 0.

Yeas:

Messrs:

Acker	Cowan	Kelly	Prestwood
Beale	Craft	Miller	Rogers (Sumter)
Briscoe	Ellis	Moore	Sims
Brown	Espy	Morris	Smith (Coosa)
Butler	Evins	McDowell	Smith (Lawrence)
Carlton	Gunter	Nance	Tally
Carmichael	Harper	Phillips	West

—28

Nays:—None.

The bill:

H. 403. To make the clerk of the circuit court of Lauderdale county, Alabama, ex-officio clerk of the county court of Lauderdale county, Alabama. To provide for compensation for his services as such clerk.

Was read a third time at length and passed.

Yeas, 27; nays, 0.

Yeas:

Messrs:

Acker	Carmichael	Kelly	Rogers (Sumter)
Beale	Cowan	Miller	Sims
Bedsole	Craft	Moore	Smith (Coosa)
Briscoe	Ellis	Morris	Smith (Lawrence)
Brown	Espy	McDowell	Tally
Butler	Gunter	Nance	West
Carlton	Harper	Rogers (Lauderdale)	

—27

Nays:—None.

The bill:

S. 411. To establish a jury commission in all counties of this State which have 200,000 or more population, according to the last Federal census, and in all counties that have 200,000 or more population according to any Federal census which may be hereafter taken; to prescribe the qualifications of jurors and regulate and provide for the selecting, drawing and summoning of jurors; to prescribe their qualifications and provide for the appointment and compensation of clerks for such jury commissions; to provide a method by which the names of citizens subject to jury duty may be obtained; and to require the publication of the jury roll; to regulate the empanelling of grand and petit juries in all courts in such counties and to prescribe penalties for the violation of this act.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 29; nays, 0.

Yeas:

Messrs:

Acker	Cowan	Kelly	Rogers (Lauderdale)
Beale	Craft	Leith	Rogers (Sumter)
Bedsole	Ellis	Miller	Sims
Briscoe	Espy	Moore	Smith (Coosa)
Brown	Evins	Morris	Smith (Lawrence)
Butler	Gunter	McDowell	Tally
Carlton	Harper	Nance	West
Carmichael			

—29

Nays:—None.

MESSAGE FROM THE HOUSE.

Mr. President:

The Speaker having signed the following House bills, your signature thereto is requested:

H. 381. To authorize the court of county commissioners of DeKalb county, Alabama, to levy a special tax of three-twentieths of one per cent on all taxable property in DeKalb county for the purpose of repairing and maintaining the public roads of said county.

Also:

H. 638. To declare the public road leading from Brewton, Alabama, to Monroeville, Alabama, a part of the State highway system.

Also:

H. 756. To authorize cities of Alabama which may have as many as twenty-five thousand and less than fifty thousand of inhabitants according to the last Federal census, or which may hereafter have such population according to any Federal census hereafter taken, to ratify, confirm and legalize grants rights, contracts, agreements, undertakings and payments having relation to the military operations of the United States, whether the property involved, either real or personal, is situated within or without the limits of such cities; and to deal with, dispose of, conserve, manage and preserve such property.

Also:

H. 208. To amend an act approved September 25, 1915, entitled, "An act to provide for the appointment of an official court reporter by each circuit judge in Alabama; to fix their compensation, define their duties and provide for special reporters in certain cases."

Also:

H. 455. To further extend the power and authority of boards of revenue of counties having a population of more than one hundred thousand people, according to the last Federal census, or according to any subsequent Federal census, and particularly to authorize and empower such boards to appropriate money or funds out of the county treasury to aid in maintaining homes or institutions for aged women.

Also:

H. 449. To vacate the dedication of all streets, avenues and alleys through, over, on or across the following described property situated in the city of Birmingham, Jefferson county, Alabama, to-wit: That tract of land bounded on the north by Avenue "B," or Second Avenue, south, on the east by Ninth street and the right of way of the Louisville & Nashville Railroad Com-

pany, on the south by the right of way of the Louisville & Nashville Railroad Company and Avenue "D" or Fourth avenue, south, on the west by Seventh street.

Also:

H. 463. To amend section one of an act entitled "An act to designate certain public roads of the State of Alabama as State trunk roads and to provide the manner in which such roads shall be located, improved and maintained," approved September 10th, 1915.

Also:

H. 476. To fix the salary of the mayor of cities and towns of more than ten thousand and less than twenty-five thousand population, in counties of more than one hundred thousand population, according to the last Federal or State census, or according to any succeeding Federal or State census.

Also:

H. 478. To prohibit goats from running at large in precinct 9 of Jefferson county, Alabama, and to prescribe the jurisdiction and a penalty for the violation thereof.

Also:

H. 485. To amend an act entitled an act, to designate certain public roads of the State of Alabama, as State trunk roads, and to provide the manner in which such roads shall be located, improved and maintained.

Also:

H. 534. To abolish the county court of Coosa county, and the offices pertaining thereto, and provide for the disposition and trial of all cases which may be pending before said county court.

Also:

H. 659. To establish an additional State trunk road, or State aid road, running from Hamilton, thence to the Illinois Central Railroad crossing at Wiginton, by way of Jackson military road, as the same now runs.

Also:

H. 701. To amend section 1 of an act, to designate certain public roads of the State of Alabama, as State trunk roads and to provide the manner in which such roads shall be located, improved and maintained, approved August 10th, 1915.

Also:

H. 743. To vacate, close and annul as a public highway or street that portion of 25th street which lies between the northwest side of 7th alley and the southeast side of 8th avenue.

Also:

H. 753. To fix the compensation of grand and petit jurymen in counties having a population of not less than 80,000 nor more

than 82,000, according to the last Federal census, or any subsequent Federal census.

Also:

H. 786. To amend section 16 of an act entitled, "An act to further prescribe and regulate the qualifications, number, designation, duties and powers of the circuit judges of the State and to provide for their election and appointment," approved September 25, 1915.

Also:

H. 581. To amend an act approved September 10, 1915, entitled, "An act to designate certain public roads in the State of Alabama as State trunk roads, and to provide the manner in which such roads shall be located, improved and maintained," and the several acts amendatory thereof.

Also:

H. 595. To create, establish and designate an additional State trunk road to be known as No. 23.

Also:

H. 629. To amend section 1 of an act entitled, "An act to designate certain public roads of the State of Alabama as State trunk roads, and to provide the manner in which said roads shall be located, improved and maintained," approved September 10, 1915.

Also:

H. 637. To regulate the registration and payment of claims against the fine and forfeiture fund of DeKalb county and to provide compensation therefor.

Also:

H. 696. To fix the pay of grand jurors and petit jurors serving in the circuit court of Crenshaw county. To prescribe the manner of payment and to prescribe the duties of the circuit clerk and county treasurer of Crenshaw county under this act.

Also:

H. 770. To divide Conecuh county, Alabama, into four commissioners districts; to provide for the election of county commissioners for said county from each of such districts by the qualified electors of said districts; to provide elections at which the county commissioners for said county shall be elected and to provide for and fix their term of office.

Also:

H. 773. To authorize the court of county commissioners of the county of Conecuh in the State of Alabama to appropriate out of the funds in the treasury of said county, an amount not exceeding one hundred dollars per annum, sufficient to pay the premium for making and insuring the bond of the tax collector

of said county where such bond is made and insured by a duly qualified guarantee company.

Fred H. Gormley,
Clerk.

SIGNING OF BILLS.

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the following bills:

H. 476. To fix the salary of the mayor of cities and towns of more than ten thousand and less than twenty-five thousand population, in counties of more than one hundred thousand population, according to the last Federal or State census, or according to any succeeding Federal or State census.

Also:

H. 478. To prohibit goats from running at large in precinct 9 of Jefferson county, Alabama, and to prescribe the jurisdiction and a penalty for the violation thereof.

Also:

H. 485. To amend an act entitled an act, to designate certain public roads of the State of Alabama, as State trunk roads, and to provide the manner in which such roads shall be located, improved and maintained.

Also:

H. 534. To abolish the county court of Coosa county, and the offices pertaining thereto, and provide for the disposition and trial of all cases which may be pending before said county court.

Also:

H. 659. To establish an additional State trunk road, or State aid road, running from Hamilton, thence to the Illinois Central Railroad crossing at Wiginton, by way of Jackson military road, as the same now runs.

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than 82,000, according to the last Federal census, or any subsequent Federal census.

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Also:

H. 595. To create, establish and designate an additional State trunk road to be known as No. 23.

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H. 637. To regulate the registration and payment of claims against the fine and forfeiture fund of DeKalb county and to provide compensation therefor.

Also:

H. 696. To fix the pay of grand jurors and petit jurors serving in the circuit court of Crenshaw county. To prescribe the manner of payment and to prescribe the duties of the circuit clerk and county treasurer of Crenshaw county under this act.

Also:

H. 770. To divide Conecuh county, Alabama, into four commissioners districts; to provide for the election of county commissioners for said county from each of such districts by the qualified electors of said districts; to provide elections at which the county commissioners for said county shall be elected and to provide for and fix their term of office.

Also:

H. 773. To authorize the court of county commissioners of the county of Conecuh in the State of Alabama to appropriate out of the funds in the treasury of said county, an amount not exceeding one hundred dollars per annum, sufficient to pay the premium for making and insuring the bond of the tax collector

of said county where such bond is made and insured by a duly qualified guarantee company.

Also:

H. 381. To authorize the court of county commissioners of DeKalb county, Alabama, to levy a special tax of three-twentieths of one per cent on all taxable property in DeKalb county for the purpose of repairing and maintaining the public roads of said county.

Also:

H. 638. To declare the public road leading from Brewton, Alabama, to Monroeville, Alabama, a part of the State highway system.

Also:

H. 756. To authorize cities of Alabama which may have as many as twenty-five thousand and less than fifty thousand of inhabitants according to the last Federal census, or which may hereafter have such population according to any Federal census hereafter taken, to ratify, confirm and legalize grants rights, contracts, agreements, undertakings and payments having relation to the military operations of the United States, whether the property involved, either real or personal, is situated within or without the limits of such cities; and to deal with, dispose of, conserve, manage and preserve such property.

Also:

H. 208. To amend an act approved September 25, 1915, entitled, "An act to provide for the appointment of an official court reporter by each circuit judge in Alabama; to fix their compensation, define their duties and provide for special reporters in certain cases."

Also:

H. 455. To further extend the power and authority of boards of revenue of counties having a population of more than one hundred thousand people, according to the last Federal census, or according to any subsequent Federal census, and particularly to authorize and empower such boards to appropriate money or funds out of the county treasury to aid in maintaining homes or institutions for aged women.

Also:

H. 449. To vacate the dedication of all streets, avenues and alleys through, over, on or across the following described property situated in the city of Birmingham, Jefferson county, Alabama, to-wit: That tract of land bounded on the north by avenue "B," or Second avenue, south, on the east by Ninth street and the right of way of the Louisville & Nashville Railroad company, on the south by the right of way of the Louisville & Nash-

ville Railroad Company and avenue "D," or Fourth avenue south, on the west by Seventh street.

Also:

H. 463. To amend section one of an act entitled "An act to designate certain public roads of the State of Alabama as State trunk roads and to provide the manner in which such roads shall be located, improved and maintained," approved September 10th, 1915.

REPORT FROM COMMITTEE ON ENROLLED BILLS.

Mr. President:

Your Standing Committee on Enrolled Bills beg leave to report that said committee, in session, have compared the following enrolled bill, with the engrossed and original bill, respectively, and find same correctly enrolled, to-wit:

S. 496. To extend the term of office in all cities having commission form of government of the commissioner to be elected in the year 1919 having a population of not less than 50,500 nor more than 100,000 according to the last Federal census and to provide for an election at the end of the term as extended.

Chas. McDowell, Jr.,
Chairman.

SIGNING OF BILLS.

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the following bills:

S. 496. To extend the term of office in all cities having commission form of government of the commissioner to be elected in the year 1919 having a population of not less than 50,500 nor more than 100,000 according to the last Federal census and to provide for an election at the end of the term as extended.

ADJOURNMENT.

At 6:30 P. M., on motion of Mr. Morris and pursuant to joint resolution heretofore adopted, the Senate adjourned until Friday morning at 10:00 o'clock.

FORTY-THIRD DAY.

Friday, September 5, 1919.

The Senate met pursuant to adjournment, Lieutenant Governor Miller presiding.

PRAYER.

By Rev. Dr. Ingram of the House of Representatives.

ROLL CALL.

Present:

Mr. President and
Messrs:

Acker	Cowan	Kelly	Prestwood
Baker	Craft	Leith	Rogers (Lauderdale)
Beale	Ellis	Miller	Rogers (Sumter)
Bedsole	Espy	Moore	Sims
Briscoe	Evins	Morris	Smith (Coosa)
Brown	Griffith	McDowell	Smith (Lawrence)
Butler	Gunter	Nance	Tally
Carlton	Huddleston	Phillips	West
Carmichael			

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JOURNAL.

On motion of Mr. Carmichael, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

INTRODUCTION OF BILLS.

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Espy:

S. 680. To provide for holding district and county fairs for boys' agricultural and girls' home demonstration clubs; to prescribe the manner in which they shall be held; to create boards of directors for district and county fairs for boys' agricultural and girls' home demonstration clubs in each county; to create fair districts for boys' agricultural and girls' home demonstration clubs in each county; to create fair district committees for boys' agricultural and girls' home demonstration clubs in each county; to provide for holding meetings of instruction for members of the boys' agricultural and girls' home demonstration clubs; to make appropriations for such fairs and to prescribe methods for drawing and spending same.

Finance and Taxation.

By Mr. McDowell:

S. 681. To authorize and empower cities and towns of the State of Alabama to contract with the United States of America, the State of Alabama and any county of the State of Alabama, for the construction or improvement, or the reconstruction, or reimprovement of streets, avenues and highways when such streets, avenues or highways are established, constructed, reconstructed, improved or reimproved by the United States government, the State of Alabama, or any county of the State of Alabama, and to agree upon the proportionate share of the cost of such assessment to be paid by any municipality; and to provide for the assessment of the same against the property benefited; and to authorize the issuance of bonds for such public improvements; and to provide that such proceedings shall be governed by the general laws of Alabama relating to assessments for public improvements, except as herein provided.

Municipalities and Municipal Organizations.

Also:

S. 682. To provide that when any city or town in this State has heretofore acquired, or may hereafter acquire, by purchase, assignment or otherwise, any mortgage on real estate, that such city or town shall have a lien on such real estate for the amount expended or advanced by it, with interest thereon, and may enforce such lien by appropriate proceedings in the equity side of the circuit court.

Municipalities and Municipal Organizations.

Also:

S. 683. To authorize and empower cities and towns to license and regulate private employment agencies, and to revoke the license of such private employment agencies for violation of such regulations.

Municipalities and Municipal Organizations.

By Mr. Morris:

S. 684. To amend section 3 of "An act to impose a license or privilege tax of one dollar a year on each dog in the State of Alabama, over four months of age, and to provide for the collection of such tax and to provide that all livestock killed by any dog and all damages done thereto shall be paid for out of the dog tax fund, and to provide for the distribution of the surplus left in the dog tax fund for on the first day of March of each year," approved September 18, 1915.

Finance and Taxation.

Also:

S. 685. To abolish the several State normal schools for white pupils now located and established at Daphne, Jacksonville, Liv-

ingston and Moundville, and the State normal school for negroes at Normal, Madison county, Alabama, to repeal their respective charters, and to provide for the disposition of their several properties.

Education.

By Mr. Morris:

S. 686. To abolish the nine several agricultural schools in this State, to repeal their respective charters, and to provide for the disposition of their property.

Education.

By Mr. Craft:

S. 687. To repeal an act entitled, "An act to regulate the charging of fees and furnishing of information within the several departments of the State, and to provide for the covering into the State treasury of such fees," approved September 29, 1915, as amended by an act approved August 5, 1919.

Finance and Taxation.

By Mr. Briscoe:

S. 688. To require in each county the probate judge or clerk of the board of revenue keeping the minutes of the court of county commissioners or board of revenue, as the case may be, and the county treasurer or, where that office is abolished, the custodian of the county funds, to make and publish an annual statement of the financial condition of the county, and to file a copy thereof with the State auditor showing the financial condition of the county, including the assessed valuation of its property, the amount of the constitutional limit of its indebtedness, and the rate of taxes levied general and special.

Judiciary.

By Mr. Carmichael:

S. 689. To amend section 1780 of the Code of Alabama of 1907.

Finance and Taxation.

Also:

S. 690. To make an appropriation to the State board of education.

Finance and Taxation.

Also:

S. 691. To make appropriations to the State department of education.

Finance and Taxation.

By Mr. Gunter:

S. 692. To fix the salary of all judges of probate in all counties in this State which now have, or which may hereafter have a population of as much as eighty-two thousand people and less

than two hundred thousand people according to the last Federal census or any such census which may hereafter be taken, who are now or may hereafter be paid on a salary basis, and also for clerical help and other expenses and to provide for payment thereof.

Revision of Laws.

REPORTS OF COMMITTEES.

Mr. Acker, chairman of the Standing Committee on Judiciary, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Ross:

H. 167. To amend section 25 of an act, entitled an act to prescribe the qualifications of jurors and regulate the selection, drawing and summoning of jurors, and prescribe the qualifications and provide for the appointment of jury commissioners and clerks of such commissions and regulate the empanelling of grand and petit juries in all the courts of this State, approved August 31st, 1909.

Mr. Miller, chairman of the Standing Committee on Revision of Laws, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Tally:

S. 614. To prohibit disconnecting or cutting loose of fences in certain cases and to make it a misdemeanor to do so.

By Mr. West (by request):

S. 594. To authorize registers of the circuit court in circuits composed of only one county and having two or more circuit judges, or counties, now or hereafter, having a population of over one hundred thousand according to the last Federal census, to grant, decrees pro confesso on bills or supplemental bills which are in default for want of answer on any day in term time or vacation, and to issue all orders of publication to non-residents or where the address of the defendants is unknown in term time or vacation; or to issue any other process necessary to bring the defendants into court, as now provided by law; and to issue writs of garnishment on judgments or decrees for payment of costs.

By Mr. Craft:

S. 657. To provide for the appointment of deputy registers and deputy clerks for circuit courts in judicial circuits composed

of one county having two or more judges, and to prescribe the duties and fixing the compensation and salary of such reputies.
By Mr. Salter:

H. 851. To dispose of the fine and forfeiture fund in Conecuh county, Alabama, and to provide for the payment of all claims which are now by law a charge against said fund.

By Mr. Deese:

H. 780. To provide for and regulate equalities of right and the order of payment of claims legally chargeable against and payable out of the fine and forfeiture fund of Dale county at present in and hereafter accruing or coming into said fund.

By Mr. Stoddard:

H. 730. To require the members of the commissioners court of Crenshaw county, Alabama, to execute bond for the faithful performance of their official duties.

By Mr. Stewart of Bibb:

H. 33. To amend section 3310 of the Code of Alabama of 1907.

By Mr. Allen:

H. 875. To authorize and empower the county of Marengo to issue its bonds, bearing interest at the rate of six per centum per annum, for the purpose of refunding its indebtedness, existing at the date of the approval of this act; to sell the same at not less than their face value; to regulate their issuance and sale, and to repeal all laws in conflict with this act, in so far as the said county is concerned.

By Mr. Smith:

H. 822. That the county treasurer or custodian of funds be authorized and directed to transfer all monies to the credit of the special jail fund to the credit of the general fund.

By Mr. Lynne:

H. 667. To provide for establishing and holding circuit court at Haleyville, Winston county, Alabama; to fix the jurisdiction thereof, to regulate proceedings therein; to provide officers and juries both grand and petit, for holding said court and for the transaction of the business thereof, and to regulate their duties; to provide for a register and deputy register or clerk for the equity side of said court and to prescribe and regulate their duties.

By Mr. Rogers of Lauderdale (with substitute):

S. 8. To amend chapter 230 of the Code of Alabama, of 1907, relating to hotels and inn keepers; and to include therein regulations of cafes, restaurants and eating places.

By Mr. Craft:

S. 612. Allowing costs and fees to officers for the service of process from juvenile courts and for feeding prisoners com-

mitted by or held for or under such courts, and to repeal all laws and parts of laws, general, local, private and special in conflict with this act.

Mr. Butler, chairman of the Standing Committee on Finance and Taxation reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Carmichael:

S. 643. To make appropriations to the Alabama Polytechnic Institute.

By Mr. Acker:

S. 105. To appropriate the further sum of seventy-five hundred (\$7,500.00) dollars, or so much thereof as may be necessary, to pay for the transportation of troops of the Alabama National Guard that were heretofore and prior to September 29th, 1915, transported by railroad common carriers on the request or order of the governor or adjutant general of Alabama, reimbursement for which on account of the deficiency of the appropriation for that purpose as heretofore made by the act, approved September 29th, 1915, entitled, "An act to appropriate the sum of seven thousand four hundred and fifty-six and seven one-hundredths (\$7,456.07) dollars to pay for the transportation of troops of the Alabama National Guard heretofore transported by railroad common carriers on the request or order of the governor or adjutant general," has not been made in full to said carriers.

By Mr. Gunter:

S. 628. To provide for the relief of the city of Montgomery, Alabama, of the sum of \$8,901.62 for paving with asphalt of the roadway of Bainbridge, Washington and Union streets adjoining the State Capitol and to authorize the payment of the same.

By Mr. Carmichael:

S. 644. To amend section 1946 of article 27 of the Code of Alabama of 1907.

By Mr. Carmichael:

S. 645. To amend section 1952 of article 28 of the Code of Alabama of 1907.

By Mr. Carmichael:

S. 649. To make an appropriation for the erection, repair and equipment of rural school houses.

By Mr. Rogers of Sumter (with substitute):

S. 609. To provide for making appropriations to the Alabama Girls' Technical Institute.

By Mr. Carmichael:

S. 650. To provide for changing the name and for making an appropriation to the Huntsville State Normal and Industrial School.

By Mr. Carmichael:

S. 648. To make an appropriation for the benefit of those counties that may be levying and collecting a special county school tax during any fiscal year, and to provide for the expenditure of the funds set apart for any county by the county board of education.

By Mr. Gunter:

S. 629. To provide for the relief of the city of Montgomery, Alabama, of the sum of \$862.14 for paving the sidewalks of the State normal school on South Jackson street and to authorize the payment of the same.

By Mr. Carmichael:

S. 646. To make appropriations to the Alabama Boys' Industrial School.

By Mr. Carmichael:

S. 647. To amend an act entitled an act "To create and establish a reform school for the training of juvenile negro law breakers at Mount Meigs, Alabama; to make appropriations for the purpose, and accept by donation all such lands and buildings as are needful therefor; to create a board of trustees and to provide for the suitable management of said institution." Approved April 24th, 1911.

By Mr. Carmichael (with amendment):

S. 637. To make appropriations to the State normal schools for white teachers located at Florence, Jacksonville, Livingston, Troy, Daphne and Moundville.

By Mr. Carmichael:

S. 631. To amend section 8 of an act "To provide for the acceptance of the benefits of an act passed by the Senate and House of Representatives of the United States of America in Congress assembled to provide for the promotion of vocational education; to provide for the appointment of a State board of vocational education; and to provide for the duties thereof; and to make appropriations for vocational education," approved February 15th, 1919.

By Mr. Carmichael:

S. 642. To amend sections 1941 and 1942 of article 26 of the Code of Alabama of 1907.

By Mr. Carmichael:

S. 639. To make an appropriation to Tuskegee Normal and Industrial Institute.

By Mr. Carmichael:

S. 630. To amend section 1678 of the Code of Alabama of 1907.

By Mr. Carmichael:

S. 632. To make an appropriation to the Alabama illiteracy commission or to the State board of education, if created, for the removal of illiteracy in Alabama.

By Mr. Carmichael:

S. 638. To make an appropriation for the State normal school for colored teachers located at Montgomery.

By Mr. Craft:

S. 611. Regulating the sale and exchange of gasoline, benzine, naphtha and other liquid motor fuels, and providing for the tagging and inspection of such product and creating within the State highway department the department of liquid fuel inspection and providing penalties for the violation of this act.

By Mr. Rogers of Sumter:

S. 667. To provide for making appropriations to the University of Alabama.

By Mr. Briscoe:

S. 572. To create a commission with authority and powers to act for and on behalf of the State of Alabama in acquiring by purchase or condemnation the building in the city of Montgomery, Alabama, commonly known and designated as the "First White House of the Confederacy," and also the land whereon said building rests or such other land as said commission may deem advisable, and to make appropriation for such purpose and for the maintenance and repair of such property.

By Mr. Brown:

S. 552. To change the name of the "Mercy Home Industrial School for Girls," located at Birmingham, Alabama, to the Alabama Vocational School for Girls," and to provide appropriations for the support, maintenance and improvement of the same.

By Mr. Brown:

S. 651. To amend an act approved February 14, 1919, entitled, "An act to provide for extension work in agriculture and home economics by giving instruction to men, women and young people in the several counties in Alabama, by continuing and improving farm demonstration work, by organizing marketing clubs, by organizing and supervising boys' corn and pig clubs, girls' canning clubs, women's clubs in home economics and by conducting other extension work through other means, all with a view to making farm life more profitable and attractive; to secure for Alabama the full amount of the funds conditionally ap-

propriated by Congress under the Smith-Lever extension act for extension work in agriculture and home economics; and to make appropriations for these purposes."

By Mr. McDowell:

S. 485. To fix the salary of the clerk of the Court of Appeals of Alabama.

By Mr. McDowell:

S. 484. To authorize the clerk of the court of Appeals of Alabama to employ an assistant and fix his salary.

By Mr. Carmichael:

S. 655. To provide for the establishment of libraries in the rural town and village schools of Alabama, to make an appropriation therefor, to provide for their maintenance and for their improvement, to authorize the commissioners court or the board of revenue of the several counties to make an appropriation for the establishment and support of said libraries, and to provide rules and regulations under which said libraries shall be established and maintained.

By Mr. Rogers of Sumter:

S. 627. Special appropriation for erection and equipment of two buildings for the Alabama insane hospitals on the grounds of the Bryce hospital at Tuscaloosa.

By Mr. Kelly:

S. 499. To make an appropriation for the erection of a dormitory for the State Normal School at Daphne, Alabama, and prescribing the conditions therefor.

By Mr. Kelly:

S. 498. To make an appropriation for the purchase of grounds and buildings and the erection of buildings, the proper equipment of the buildings of the State Normal School of Daphne, Alabama.

By Mr. Carmichael:

S. 633. To make an appropriation for the maintenance and supervision of county high schools.

By Mr. Carmichael:

S. 634. To change the name of each of the nine branch district agricultural schools and experiment stations and to make appropriations for their maintenance and support.

By Mr. Carmichael:

S. 635. To change the name of the Northeast Alabama Agricultural and Industrial Institute at Lineville and to make an appropriation for its maintenance and support.

By Mr. Carmichael:

S. 636. To provide for the making of appropriations to the Alabama School of Trades and Industries at Ragland, Alabama.

By Mr. Blunt:

H. 316. To provide for a census or enumeration, of all persons enrolled in any branch of the military, naval, marine or aviation service, or other service of the United States, during the Mexican border troubles and during the European war, and to provide compensation therefor.

By Mr. Jones of Escambia:

H. 471. For the relief of Rev. J. E. Deer, of Escambia county, Alabama.

By Mr. Oliver:

H. 588. To fix the salary of the judge of probate of Montgomery county, Alabama, and allowance for clerical help and other expenses in said office, and to provide for payment thereof.

By Mr. Ross:

H. 744. To ratify a resolution of the board of revenue of Jefferson county, Alabama, comprising the claim of Mrs. Effie McMickins against Jefferson county.

By Mr. Hall of Henry:

H. 508. To empower and direct the court of county commissioners of Henry county, Alabama, to pay from the general fund of said county for the publication of notices of intention to apply for the enactment of local laws for said county when the same are applicable to the entire county.

By Mr. Ross:

H. 793. To authorize the city of Fairfield, in Jefferson county, Alabama, to levy taxes on all real and personal property, and franchises in said city, for the year beginning January 1st, 1919, and ending December 31st, 1919, and for each year thereafter; to provide the rate of said taxation; and to fix the value of property for taxation in said city; to provide when said taxes shall fall due and how same shall be collected and to fix the date of each tax year.

By Mr. McLeod:

H. 427. To appropriate the sum of four hundred twenty-eight and 94/100 dollars, the relief of W. H. Jones for overpayments of solicitor fees made by him to the State of Alabama as clerk of the circuit court of Covington county during the period from January 1st, 1905, to January 1st, 1916.

Mr. Miller, chairman of the Standing Committee on Revision of Laws, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with an adverse report, and they were severally read a second time and placed on the adverse calendar, to-wit:

By Mr. West:

S. 662. To amend section 3207 of the Civil Code of 1907.

By Mr. Leith:

S. 619. To repeal an act entitled, "An act to better secure the administration of the finance affairs of the State with respect to expenditures and appropriations and for that purpose to establish a State budget commission and to prescribe rules and regulations governing the same," approved February 11, 1919.

By Mr. Leith:

S. 620. To repeal an act entitled, "An act to create a State board of control and economics and to provide members thereof, their tenure in office, salaries, duties and mode of appointment, and to prescribe rules and regulations governing said board," approved February 13, 1919.

By Mr. West (by request):

S. 595. An act to amend sections 2520 and 2539 of the Civil Code of Alabama 1907.

Mr. West, chairman of the Standing Committee on Local Legislation, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Harper:

S. 668. To authorize and direct the sheriffs of all counties having a population of not less than 26,940 nor more than 27,000, according to the last Federal census or any subsequent census, to employ a janitor to keep the jail and grounds of said jails in a cleanly and sanitary condition; and to authorize and direct the boards of revenue or commissioners courts of said counties to pay the monthly salaries of said janitors by warrants issued therefor by the said boards of revenue or like governing bodies.

By Mr. Rogers of Lauderdale:

S. 656. To provide for bailiffs for the circuit courts in all counties in Alabama having a population of not less than 26,850 and not exceeding 26,890 according to the Federal census of 1910.

By Mr. West:

S. 661. To provide for the payment of sundry or incidental expenses of the sheriff's office in counties in this State having a sheriff serving on a salary basis, or which may hereafter have a sheriff serving on a salary basis, and to provide for an accounting by the sheriff of money received by him under this act.

By Mr. West:

S. 660. To require the superintendent, manager, intern, or other person in control or in charge of hospitals, and physicians,

treating injured persons, to report, to the chief of police and sheriff, any and all injured persons coming into such hospital, in counties having a population of two hundred thousand or more, according to the last Federal census or any future Federal census, and to fix penalties for the violation thereof.

By Mr. Stoddard:

H. 777. To provide for the more efficient construction and maintenance of the public roads and bridges of Crenshaw county, Alabama; to provide for raising revenue for the same; to levy a vehicle license tax on automobiles, motor trucks and all motor vehicles owned and operated by citizens of Crenshaw county, Alabama; to prescribe the duties of the tax assessor and tax collector of said county under this act; to provide penalties and punishment for the violation of this act, and to repeal conflicting laws.

Also:

H. 865. To regulate the fine and forfeiture fund of Crenshaw county.

Also:

H. 866. To provide for the election of members of the commissioners court of Crenshaw county, and to fix their term of office.

Also:

H. 775. To repeal an act entitled, "An act to provide for the payment of witnesses before the grand juries and State witnesses in all criminal cases and of the sheriff of the county of Crenshaw and clerks of the circuit court and county court in and for said county in criminal cases, where the State fails to convict, out of the general funds of Crenshaw county, Local Acts, 1915, page 361, approved September 10th, 1915."

By Mr. Salter:

H. 805. To better provide for the payment of State witnesses in the county of Conecuh.

Also:

H. 852. To authorize the commissioners' court of Conecuh county, Alabama, to pay out of the general fund of said county to the tax assessor of said county, the sum of six hundred dollars per annum for extra assistance in said office.

By Mr. Stoddard:

H. 776. To limit the number of days for which members of the court of county commissioners of Crenshaw county may be paid for services as members of said court, for mileage in going to and from said court, for their services rendered in the discharge of their duties in letting out, inspecting and accepting, building or repairing of any county bridges of county buildings

or works, and mileage necessarily traveled by them in so doing, during any one year, or part of a year; to say when this act shall go into effect; and to repeal all laws and parts of laws in conflict with the provisions of this act insofar as Crenshaw county is concerned.

Mr. Carmichael, chairman of the Standing Committee on Education, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Carmichael (with amendment):

S. 470. To provide a complete educational system for the State of Alabama; to provide a public school fund; to provide for the administration of the public school and to create a State board of education and to prescribe its powers and duties; to make appropriations for elementary schools and other institutions of learning in the State, including the University of Alabama, Alabama Polytechnic Institute, Alabama Technical Institute for Women, Agricultural and Mechanical Institute for Negroes, Tuskegee Normal and Industrial Institute, State normal schools, State secondary agricultural schools, Northwest Alabama Agricultural and Industrial Institute, county high schools, Alabama School for Deaf, Alabama School for the Blind, Alabama School for Negro Deaf and Blind, Alabama Boys' Industrial School, Alabama Reform School for Juvenile Negro Law Breakers; to provide for the erection of certain necessary buildings and to make appropriations for the same; to create county and city boards of education, to define their respective powers and duties, to provide for the payment of their necessary expenses, including equipment and furniture; to provide for holding elections for the one mill county tax on each dollar of taxable property, under the Constitution of 1901; to provide for holding elections for county tax of three mills or less, on each dollar of taxable property, under the amendment to the Constitution of 1901; to provide for holding elections for district taxes of three mills or less, on each dollar of taxable property, prescribe the method of holding such elections; to prescribe the duties and powers of the State superintendent of education and to fix his compensation; to make appropriations for the State department of education and to define its duties and powers; to provide for the appointment of county superintendents of education, to define their powers and duties and to provide for their compensation; to provide for boards of school trustees; to provide for the appointment of city superintendents of education and to define their powers and duties and to provide for their compensation; to pro-

vide for supervisors of schools in the various counties and cities and to fix their powers and duties and to provide for their compensation; to provide for a bonus fund for counties levying and collecting a special tax for school purposes and to fix the amount, proportioned upon the rate of such special tax; to provide for a county treasurer of school funds; to provide for compulsory attendance upon the schools of the State, within certain ages, and to fix penalties and provide for the appointment of attendance officers and to define their duties and fix their compensation, and to provide the method of enforcement of compulsory attendance within the ages prescribed; to provide for the certification of teachers, how such certificates may be obtained, the length of time they are to be in force and to provide appropriations for the necessary expenses of conducting teachers' examinations and issuing certificates and to provide the necessary clerical and other assistants in and about this business; to provide for the training of teachers in actual service and make appropriations for the expenses thereof; to provide pecuniary assistance for the erection, repair, and equipment of rural school houses throughout the State and to prescribe the methods and conditions under which such assistance may be obtained, and to make appropriations therefor; to provide for the sale and conveyance of certain lands which have been conveyed through the State for school purposes; to provide for rural libraries throughout the State, and to provide for rural libraries throughout the State, and to provide the method by which assistance to such rural libraries may be obtained, and to provide appropriations therefor; to provide for vocational education and to make appropriations therefor; to provide for the removal of illiteracy among adults as well as among minors and to make appropriations therefor; to provide uniform text books throughout the State and to create a State textbook committee and define its powers and duties; to provide for county high schools and to prescribe the conditions under which such county high schools may obtain assistance from the State, and to make appropriations therefor, and to provide that such county high schools may be assisted financially by county boards of revenue or boards of education or by municipalities, or by private agencies; to provide for county high school treasurers, to fix their bonds and prescribe their powers and duties and to provide for the payment of the premium upon their bonds; to provide for county treasurers of school funds, to fix their bonds and prescribe their powers and duties and to provide for the payment of the premium upon their bonds; to provide for the establishment of six State secondary agricultural schools, to provide the method of their location, to provide for their man-

agement and control, and to make appropriations therefor; to provide for certain State normal schools, to provide for their control and management and to make appropriations therefor, and to make special appropriations for certain buildings, improvements, and for the purchase of real estate and for the payment of certain indebtedness therefor; to make appropriations for the Tuskegee Normal and Industrial Institute, the Agricultural and Mechanical Institute for Negroes; to change the name of the school heretofore established at Montevallo as the "Alabama Girls' Industrial School," later known and called the "Alabama Girls' Technical Institute," to the name of the "Alabama Technical Institute for Women," to provide its powers and duties; to create a board of trustees for such institute, to prescribe their powers and duties and their methods of appointment and length of service, and to make appropriations therefor; to provide for the control and management of the Alabama Polytechnic Institute, to define the powers and duties of the board of trustees for such institute, the method of appointment of such trustees, and to make appropriations therefor; to provide for the control and management of the University of Alabama, to define the powers and duties of the board of trustees for such University, the method of appointment of such trustees, and to make appropriations therefor; to provide for the summer schools at the University of Alabama and to make appropriations therefor; to create a State council of education, to prescribe its powers and duties and to make appropriations therefor; to provide for the management and control of the Alabama Institute for the Deaf, to create a board of trustees therefor and to provide for the method of their appointment and the length of service, and to provide appropriations therefor; to provide for the management and control of the Alabama Academy for the Blind, to create a board of trustees therefor and to provide for the method of their appointment and the length of service and to provide appropriations therefor; to provide for the management and control of the Alabama School for Negro Deaf Mutes and Blind, to create a board of trustees therefor and to provide for the method of their appointment and the length of service, and to provide appropriations therefor; to provide for the maintenance and establishment of the Alabama Boys' Industrial School, to provide for the management and control thereof and for the appointment of a board of directors, to define their powers and duties and the method of committing white boys thereto, and to make appropriations for such school; to provide for the maintenance and establishment of the Alabama Reform School for Juvenile Negro Law Breakers, to provide for the management and control there-

of, and for the appointment of a board of directors, to define their powers and duties and the method of committing negro boys thereto, and to make appropriations for such school; to provide for the lease and sale of school lands in this State; to provide for the abolishment of township lines for school purposes; to require private, denominational and parochial schools to make reports; to require county and city boards of education to give regular instruction in all schools under their direction as to the nature of alcoholic drinks, tobacco and other narcotics and their effect upon the human system; to provide penalties for the violation of the provisions of this act, and to provide for the repeal of inconsistent laws heretofore enacted.

By Mr. Rogers of Sumter :

S. 592. To amend subdivision 7, section 1678, chapter 41, of the Code of 1907.

By Mr. Morris :

S. 565. To provide for the election of county superintendent of education of Dale county, Alabama, by the people, and to provide for the election of school trustees of every school district in said county by the patrons of such district.

By Mr. Bedsole (by request) :

S. 562. To better secure compliance with the laws of Alabama, requiring instruction of all pupils in public schools, and in all schools and colleges supported in whole or in part by public money, or under State control, with reference to the effect of alcoholic drinks, stimulants and narcotics upon the human system.

By Mr. Carmichael :

S. J. R. 120. Relating to Federal aid for the promotion or development of mines and mining, and mining engineering in the State of Alabama.

By Mr. Morris :

S. 482. To provide for the subdivision of counties into school attendance districts, and to provide for the attendance officers under the compulsory education law in counties of this State having a population of not less than 21,600 nor more than 22,000, according to the Federal census of 1910.

Mr. Espy, chairman of the Standing Committee on Agriculture, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Prestwood :

S. 666. To further regulate stock law districts in the State of Alabama.

By Mr. Allen (with amendment) :

H. 613. To regulate the traffic in seed cotton in the several counties of Alabama and to provide for penalties for violating the same.

Mr. Cowan, chairman of the Standing Committee on Public Health, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Jones of Montgomery:

H. 458. Relating to dependent, neglected, or delinquent children in all counties of Alabama which have a population of as many as eighty-two thousand people, and not more than one hundred thousand, according to the last Federal census; to define who are dependent, neglected or delinquent children; to declare that such children shall be wards of the State; to provide for their custody, discipline, supervision, care, protection, guardianship and welfare; to create and establish in such counties such juvenile courts, and to provide for their equipment and maintenance; to create and confer upon such courts jurisdiction, under the terms of this act, to try and determine the question of dependency, neglect or delinquency of children in such counties, and when found to be such to adjudicate and determine all questions as to their guardianship, custody, supervision, discipline, care, control, protection and training; and generally to confer upon such courts jurisdiction and power to try and determine all questions arising under the terms of this act, or which may otherwise be referred to them by law, for adjudication; or which may be necessary or convenient to the exercise of such jurisdiction, or to carry out the purpose and intent of this act; to provide for the trial and punishment of those who aid, abet, cause or connive at, or contribute to the delinquency, neglect or dependency of such children; to provide and regulate the procedure in such cases, and to confer power upon such courts to make such rules and regulations and to devise such forms, where not otherwise provided for under the terms of this act, as shall be found necessary or convenient to the exercise of its jurisdiction, or for the conduct of probation officers of their work, as provided for in the act; to provide for the taking and enforcement of recognizances and bonds; and for the taking of appeals from the decisions of such courts; to provide for the trials of any delinquent in a criminal court of competent jurisdiction who has shown himself or herself to be unamenable to the discipline under the terms of this act; and for the appointment of an advisory board to such courts, and to define the duties and powers of such

boards; to provide for the appointment of the judge or other officers of such courts and to define their powers and duties, and to provide for their compensation; to declare that should any part of this act be found unconstitutional that it will not affect the remainder thereof, and to provide for the repeal of all laws in conflict with this act.

Mr. Kelly, chairman of the Standing Committee on Public Roads and Highways, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. McDowell:

S. 664. To amend section one of an act entitled, "An act to designate certain public roads of the State of Alabama as State trunk roads and to provide the manner in which such roads shall be located, improved and maintained," approved September 10th, 1915.

Mr. Butler, chairman of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. McDowell:

S. 566. To establish a school at Eufaula, Alabama, to be known as the Southeast Alabama Industrial School, to provide for its management and to make an appropriation therefor.

By Mr. Carmichael:

S. 590. To amend section 5978 (3852) (692) (596) (675) (577) of the Code of Alabama.

By Mr. Espy:

S. 587. To permit county boards of revenue or county commissioners to appropriate money to control or eradicate diseases of live stock in their respective counties and to provide for the use of such money.

By Mr. Briscoe:

S. 676. To prescribe the amount of solicitors fees in cases of conviction for carrying concealed a pistol about the person.

By Mr. Leith:

S. 654. To amend section 564 (1907) of the Code of Alabama.

By Mr. Craft (with amendment):

S. 568. To amend section 1 of the act entitled, "An act to regulate the fees of the sheriffs for feeding prisoners in jail under charge or conviction of any indictable offense, and to provide the payment therefor.

By Mr. Sims:

S. 555. To encourage the production of pure bred registered live stock in the State of Alabama and to exempt from taxation pure bred live stock for four years from date of purchase.

By Mr. Sims:

S. 554. To encourage production on farms in Alabama and to exempt from taxation certain farm implements and machinery.

By Mr. Sims:

S. 208. To create in the department of agriculture and industries a division devoted to the deaf; to provide for the appointment of a competent deaf man to take charge of such division; to enumerate his duties and authority and to provide for his compensation and for the expense of such department.

By Mr. Huddleston:

S. R. 123. Relative to salary of door-keeper and assistant door-keeper.

By Mr. Acker:

S. 473. To authorize the governor to provide for the use of funds special or general, in the treasury, when needed to meet the obligations of the State.

By Mr. Carmichael:

S. 615. To fix the salary of county solicitors in counties having a population of 17,495 according to the last Federal census, and a population of not over 17,600 according to any subsequent Federal census; and to provide for the payment of said salaries out of the county treasuries.

By Mr. Griffith:

S. 500. Providing for the establishment and construction of a trunk highway from Garden City, Cullman county, Alabama, to the Jefferson county line, along and over the abandoned track bed of the Louisville & Nashville Railroad, which has been dedicated to the State for public highway.

By Mr. Acker:

S. 457. To fix the compensation of the members of the commissioners courts or boards of revenue in all counties having a population of not less than 39,110 and not more than 39,920, according to the census of 1910, and to provide for the payment of the same.

By Mr. Leith:

S. 553. To provide for a clerk to the tax assessor in counties having more than 37,000 population and less than 37,400 population, according to the 1910 Federal census, to prescribe the duties of such clerks and provide for their appointment and compensation.

Mr. Briscoe, chairman of the Standing Committee on Penitentiary, Prison and Prison Punishment, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Acker:

S. 371. To amend section 2 of an act "To provide for the creation of the office of State prison inspector; to prescribe the duties and powers of such office; to provide for the necessary assistants to said inspector; to fix the compensation of such inspector and his assistants; to provide for the construction, the regulation, the management, the maintenance, the operation, the healthfulness, and the sanitation of all county jails, almshouses, and such town and city prisons as are in towns or cities of ten thousand or more population according to the last Federal census, under the supervision of said inspector, and to prescribe the duties of the various public officials with respect thereto, and to provide punishment for violations of this act," approved April 8. 1911 (General Acts 1911, p. 356).

Mr. Beale, chairman of the Standing Committee on Counties and County Boundaries, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with an adverse report, and it was read a second time and placed on the adverse calendar, to-wit:

By Mr. Gunter:

S. 652. To change the boundary line between Montgomery and Crenshaw counties so as to take into Montgomery county the following land, now situated in Crenshaw county, Alabama, to-wit: The northwest quarter (N.W. $\frac{1}{4}$) and the west half (W. $\frac{1}{2}$) of the northeast quarter (N.E. $\frac{1}{4}$), section five (5); also the northeast quarter (N.E. $\frac{1}{4}$) and the east half (E. $\frac{1}{2}$) of the northwest quarter (N.W. $\frac{1}{2}$), section six (6), township eleven (11), range eighteen (18).

Mr. Phillips, chairman of the Standing Committee on Constitution and Constitutional Revisions and Amendments, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with an adverse report, and it was read a second time and placed on the adverse calendar, to-wit:

By Mr. Leith:

S. 410. To propose and submit to the qualified electors of the State of Alabama at the next general election to be held in and for said State a proposed amendment to the Constitution

whereby the Legislature may make laws for the purpose of levying or collecting what is known as an inheritance tax on real and personal money, public and private securities of every kind in this State passing from any person who may die seized and possessed thereof, or of any part of such estate of any securities, of interest therein, transferred by the intestate laws of this State, or by will, deed, grant, bargain, sale or gift made or intended to take effect in possession after death of the grantor, deviser or donor and to exempt from such tax fifty thousand dollars.

Mr. Butler, chairman of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with an adverse report, and it was read a second time and placed on the adverse calendar, to-wit:

By Mr. Morris:

S. 575. To abolish the license or privilege tax now imposed upon owners of dogs.

Mr. Carmichael, chairman of the Standing Committee on Education, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with an adverse report, and they were severally read a second time and placed on the adverse calendar, to-wit:

By Mr. Morris:

S. 481. To provide for the consolidation of schools in counties of this State having not less than 21,600 nor more than 22,000 population according to the Federal census of 1910.

By Mr. Morris:

S. 251. To amend section 1759 of the Code of Alabama, 1907. (Relates to school year, school month, and school day.)

Mr. Butler, chairman of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with an adverse report, and they were severally read a second time and placed on the adverse calendar, to-wit:

By Mr. Acker:

S. 584. To authorize the governor to employ a special force of not more than ten men to serve under his immediate direction and control, to assist him in his duty of taking care that the laws of the State are faithfully executed, and to provide compensation for their services.

By Mr. Craft:

S. 674. To fix the salaries of attorney general, State auditor, secretary of State, State treasurer, superintendent of education,

commissioner of agriculture and industries, and provide the method of payment of same.

By Mr. Morris:

S. 576. To prescribe the fees for recording deeds, mortgages and all other papers and documents now required by law to be recorded in the offices of probate judges in this State.

REPORT FROM COMMITTEE ON ENGROSSED BILLS.

Mr. President:

Your Standing Committee on Engrossed Bills beg leave to report that said committee, in session, have examined and compared the following engrossed bill, with the original, and find same correctly engrossed, to-wit:

S. 464. To require the highway commission or highway department, to locate, construct and maintain the State highways in Alabama so as to connect the several county seats in the border counties to connect county seats of the several border counties at or about the State line with an improved road in the border states, and to require an equitable division of time, money and labor in the prosecution of such work, said roads to be constructed and maintained without expense to the several counties.

R. B. Evins,
Chairman.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has originated and passed the following bills:

H. 844. To define trusts, and to provide for criminal penalties and punishment of corporations, firms and persons, and to promote free competition in commerce and all classes of business, both intrastate business and interstate business, engaged in and carried on by or through any corporation, firm or person.

Also:

H. 426. To amend sections 1, 2 and 5 of an act entitled, "An act to amend the title and sections 1, 3, 4, 5, 6, 9, 14, 15, 20, 21, 23, 25, 26, 30, 33, 34, 39, 41, 45 and 46 and to repeal sections 31 and 32 of an act entitled, 'An act to create a banking department of the State of Alabama, and through this department to regulate, examine and supervise banks and banking, and to punish certain prohibited acts relating thereto,' approved March 2nd, 1911," approved February 15, 1915.

And sends same herewith to the Senate.

Fred H. Gormley,
Clerk.

HOUSE MESSAGE.

The House bills in the foregoing House message were severally read once and referred to appropriate standing committees, as follows:

H. 844. To the Committee on Judiciary.

H. 426. To the Committee on Banking and Insurance.

REPORT FROM RULES COMMITTEE.

Mr. Acker, chairman of the Standing Committee on Rules, reported that said committee, in session, had acted on the following resolution and ordered same returned to the Senate, with a favorable report with substitute, to-wit:

S. R. 131. Making House bill 407 a special, paramount and continuing order for the forty-fourth legislative day.

With the following substitute, to-wit:

Be it resolved by the Senate, That House bill No. 407 be set down for special, paramount and continuing order for the forty-sixth legislative day at 3 P. M.

And on motion of Mr. Carmichael, the rules were suspended, and said substitute adopted, and said resolution, as thus amended, was, under a suspension of the rules adopted, and said House bill No. 407 was made a special, paramount and continuing order for the 46th legislative day at 3 P. M.

And Mr. Acker, chairman of the Standing Committee on Rules, further reports that said committee, in session, had acted on the following resolutions and ordered the same returned to the Senate with an adverse report, and they were severally read a second time and placed on the adverse calendar, to-wit:

S. J. R. 128. Creating a joint committee of five members from each house to re-draft and draw up a revenue bill.

Also:

S. J. R. 108. Authorizing the Recess Committee on Convicts to reorganize and sit during the recess to make such investigations as they may deem necessary.

Also:

S. R. 109. Providing for the printing of 200,000 copies of the report of the Recess Committee on Convicts and Highways and the governor's message.

And on motion of Mr. Acker, said report was concurred in and said resolutions read a second time and placed on the adverse calendar.

REPORT FROM RULES COMMITTEE.

Mr. Acker, chairman of the Standing Committee on Rules, returned to the Senate, the:

REPORT OF SPECIAL COMMITTEE APPOINTED TO INVESTIGATE
ALABAMA TRAINING SCHOOL FOR GIRLS.

To the Senate and House of Representatives of Alabama:

We, your committee, appointed to investigate and make report on the Alabama Training School for Girls seventeen miles east of Birmingham, beg to make the following report:

On August 18, your committee visited this institution. It is located on a beautiful pike road. We were shown every courtesy on arriving at the home; were met by Mrs. S. D. Weakley, Mrs. Amigh, matron, and Dr. Dowling, county health officer of Jefferson county, who gave us all the information asked for and all courtesies that could be shown.

We found forty-eight inmates in the institution, who seemed to be satisfied and at home. It was about the noon hour and all were preparing and eating dinner and seem not to be disturbed by our presence. The State owns this very valuable property of some six hundred acres of land. We were told that more than one hundred thousand dollars had been spent on improvements on the property, which we have no reason to doubt from the buildings and general improvements. There is great good to be accomplished in the working out of this institution's plans.

We would recommend that as much as fifty thousand dollars be appropriated for buildings and general improvements to be used as the trustees would see fit to use it for, and twenty-five thousand dollars in addition for the buying and taking care of milch cows, and the building of green houses and flower gardens, and the appropriation of twenty-five or thirty dollars per capita for each inmate and the general expenses of up-keep. Also would recommend that the farm land not in use by the institution be leased or rented to some one. Also would recommend that land not needed be sold and the proceeds used in the maintenance and up-keep.

This institution could be run with a view to accomplish its main purposes, namely: The taking care and reforming wayward or fallen girls, but should be made self-sustaining as far as possible. Cows should be had to furnish sufficient butter and milk to run the institution, and after giving the matter careful consideration, would recommend that green houses and flower gardens should be provided which would give employment to the girls when they are not in school; this being the kind of work that girls naturally love to do and will cause them to be satisfied and forget themselves. Birmingham will furnish a splendid market for the products at a good profit and the girls will be taught the growing and the sale of flowers, which will be an education and business combined and will furnish a trade and position when they leave the institution. We would further recommend that the name of the institution be changed so that it would not be confused in the minds of the public with any other institution doing different work in the State. Also would recommend that no girl under twelve years of age be put in this institution, and that every girl entering this school should be accompanied by a certificate from some reputable designated doctor, giving the age, history of the person, and health condition, with such recommendation as he would feel justified in offering in the person entering this institution.

Watt T. Brown,
On the part of the Senate.
S. W. Hawkins,
J. D. Truss,
On the part of the House.

With a recommendation that said report be re-referred to the Standing Committee on Education, and pursuant to such recommendation, the President of the Senate re-referred said report to the Standing Committee on Education.

Also the:

REPORT OF SPECIAL COMMITTEE APPOINTED TO INVESTIGATE
AND REPORT ON THE MERCY HOME AND INDUSTRIAL
SCHOOL FOR GIRLS.

To the Senate and House of Representatives of Alabama:

We, your committee appointed to investigate and report on the Mercy Home and Industrial School for girls of Birmingham, beg to make the following report:

On August 18 we visited this institution and found Mrs. Cory and Mrs. Jordan, the superintendent, in charge. They showed us all the courtesy that could be and carried us through the building, which is well kept. We found thirty-two girls in this institution, who were busy doing ironing and general house work. All seemed to be happy and proud of their home and surroundings. The entire building, sleeping rooms, dining and cook room, yard, and general surroundings have an air of industry and refinement that any parent could feel satisfied about their children under these influences. They do gardening, poultry raising, and have a well-kept flower yard.

We would recommend that this school become a State institution and be supported liberally and money appropriated in keeping with the bills that already have been introduced in the Legislature. We would recommend that the alms house property that joins be purchased, if it could be, and made part of this institution. There is a splendid work being done at this school and a splendid future is before it.

Would also recommend that the name be so changed that there will not be any confusion in the minds of the public between the work of the Alabama Training School for Girls, which is altogether a different class institution, taking girls who have not become wayward and in a different class, but who would like to become so by being left homeless by death of parents or deserted, and other unfortunate circumstances would be left helpless and dependent. Every child in this school should be accompanied by a certificate from some one with authority, stating that the child was the proper one to be in this institution and save duplication from other schools.

S. W. Hawkins,

J. D. Truss,

On the part of the House.

Watt T. Brown,

On the part of the Senate.

With a recommendation that said report be re-referred to the Standing Committee on Education, and pursuant to such report, the President of the Senate re-referred said report to the Standing Committee on Education.

REPORT OF COMMITTEE OF CONFERENCE.

We, your Committee of Conference on a disagreement of the two houses on House bill No. 12, make the following report:

We recommend that the Senate recede from its amendment to said bill.

E. M. Baker,
D. C. Matthews,
Conferees on the part of House.
J. A. Nance,
B. T. Phillips,
Conferees on the part of Senate.

REPORT OF COMMITTEE OF CONFERENCE.

On motion of Mr. Phillips, the Senate concurred in and adopted the foregoing report of the Committee of Conference on the disagreement of the two houses on the Senate amendment to the bill:

H. 12. To amend an act entitled, "An act to amend section 3317 of the Code of Alabama, 1907. Relates to the publication of receipts and disbursements, by counties," approved September 25, 1915.

Yeas, 29; nays, 0.

Yeas:

Messrs:

Acker	Carmichael	Miller	Rogers (Lauderdale)
Baker	Cowan	Moore	Rogers (Sumter)
Beale	Craft	Morris	Sims
Bedsale	Espy	McDowell	Smith (Coosa)
Briscoe	Evins	Nance	Smith (Lawrence)
Brown	Harper	Phillips	Tally
Butler	Kelly	Prestwood	West
Carlton			

—29

Nays:—None.

REPORT OF CONFERENCE COMMITTEE.

To the Legislature of Alabama:

We, your Committee of Conference on House bill 383, beg leave to report that we have been unable to reach any agreement in conference on said bill.

W. T. Murphree,
W. E. Dickson,
J. C. Arnold,
On the part of the House.
W. P. Acker,
J. M. Moore,
R. B. Evins,
On the part of the Senate.

CONFERENCE REPORT.

The above report of the Conference Committee was read, and on motion of Mr. Acker, the Senate members of said committee were discharged.

BILL TAKEN FROM ADVERSE CALENDAR.

Pursuant to notice heretofore given, Mr. Phillips moved to take from the adverse calendar, have the same read a second time and placed on the regular calendar, the bill:

S. 81. For the submission of the question, convention or no convention to a vote of the qualified electors of the State of Alabama, and to provide for the holding of a convention to revise and amend the Constitution of the State of Alabama, and to provide for the election of delegates to such convention.

Which motion prevailed, and said bill was taken from the adverse calendar, read a second time and placed on the regular calendar for a third reading on to-morrow.

BILL INDEFINITELY POSTPONED.

On motion of Mr. Brown, the further consideration of the bill:

S. 14. To repeal sections 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 101, 103, 104, 105, and 106 of an act of the Legislature of Alabama, entitled an act to provide for the assessment, valuation and equalization of values of real and personal property for taxes, and for this purpose to create State board of equalization, prescribe the powers and duties of said board, to create a board of equalization of each county, and to prescribe the powers and duties of said boards, to provide for the collection of taxes; the sale of property for taxes; the redemption from such sales; to further provide for the general revenues, abolish the State tax commission, and to transfer all the power and authority and jurisdiction and all proceedings pending for assessment and collection of taxes, and to repeal all laws in conflict with this act. Approved on the 14th day of September, 1915.

Was indefinitely postponed by the Senate.

NOTICE OF MOTIONS TO TAKE FROM ADVERSE CALENDAR.

Mr. Leith gave to the Senate the following notices in writing:

"Notice is hereby given that on the next legislative day the undersigned will make motion to take from the adverse calendar Senate bills numbers 619 and 620, each separately and severally and place same on the regular calendar.

M. L. Leith."

Also:

"Notice is hereby given that on the next legislative day, the undersigned will make a motion to take from the adverse calendar Senate bill 410 and place the same on the calendar for passage.

Leith."

Also:

Notice is hereby given that on the next legislative day the undersigned will make motion to take from the adverse calendar each of the Senate joint resolutions numbers 108, 109 and 128, separately and severally, and place same on the calendar for passage.

M. L. Leith."

BILLS ON THIRD READING.

The bill:

H. 650. To provide for the appointment of bailiffs in circuits composed of only one county and having four or more judges, and having a sheriff serving on a salary basis, and to fix the compensation of such bailiffs and provide for its payment.

Was taken up.

Mr. West offered the following amendment to said bill:

Amend sections 1, 2 and 3 of House bill 650 by making said sections 1, 2 and 3 read as follows:

Section 1. That in all counties of the State of Alabama having a population of two hundred thousand or more according to the last or any subsequent Federal census, the bailiffs of all courts of record in such counties shall be appointed by the judges of such court. Each judge to appoint the bailiff or bailiffs who act in the division of the court over which such judge presides and such bailiff to serve at the pleasure of the judge.

Section 2. Each bailiff shall receive an annual salary of fifteen hundred dollars (\$1,500.00) to be paid in monthly installments out of the county treasury on the warrant of the judge appointing the bailiff in the same manner as the county officials are paid.

Section 3. When the services of such bailiffs are not required by the judge by whom they were appointed, such judge may order them to serve all civil process referred to them by the sheriff of the county, and for such purpose they shall have the same power and authority as is now conferred by law upon deputy sheriffs in such counties.

Which was adopted.

Yeas, 26; nays, 0.

Yeas:

Messrs:

Acker	Carlton	Miller	Rogers (Sumter)
Baker	Carmichael	Moore	Sims
Beale	Cowan	Morris	Smith (Coosa)
Bedsole	Craft	McDowell	Smith (Lawrence)
Briscoe	Espy	Nance	Tally
Brown	Gunter	Phillips	West
Butler	Leith		

—26

Nays:—None.

And said bill, as thus amended, was read a third time at length and passed.

Yeas, 26; nays, 0.

Yeas:

Messrs:

Acker	Carlton	Moore	Rogers (Sumter)
Baker	Carmichael	Morris	Sims
Beale	Cowan	McDowell	Smith (Coosa)
Bedsole	Craft	Nance	Smith (Lawrence)
Briscoe	Gunter	Phillips	Tally
Brown	Leith	Rogers (Lauderdale)	West
Butler	Miller		

Nays:—None.

The bill:

S. 336. To provide for the election of a county solicitor in all counties in Alabama having a population of not less than 30,800 and not more than 30,900, according to the Federal census of 1910, to fix his term of office and compensation, and prescribe his qualifications and duties.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 25; nays, 0.

Yeas:

Messrs:

Acker	Carlton	Leith	Phillips
Baker	Carmichael	Miller	Rogers (Lauderdale)
Beale	Cowan	Moore	Rogers (Sumter)
Bedsole	Craft	Morris	Smith (Lawrence)
Briscoe	Gunter	McDowell	Tally
Brown	Huddleston	Nance	West
Butler			

—25

Nays:—None.

The bill:

S. 289. To provide how any fraternal benefit society or societies organized or doing business under the laws of this State,

may consolidate, merge or reinsure its or their insurance risks, with any other fraternal benefit society or societies; and to provide how any such society or societies may assume, insure or reinsure the risks of any other fraternal benefit society or societies; and to provide penalties for the violation of the provisions hereof.

Was taken up.

The Committee on Banking and Insurance offered the following amendment to said bill:

Amend section 4 of Senate bill No. 289 so as to make the same read as follows:

"4. Any person violating the provisions of this act shall be guilty of a felony and upon conviction shall be punished by imprisonment in the penitentiary for not less than one nor more than five years."

Which was adopted.

Yeas, 25; nays 0.

Yeas:

Messrs:

Acker	Carlton	Leith	Rogers (Lauderdale)
Baker	Cowan	Miller	Sims
Beale	Craft	Morris	Smith (Coosa)
Bedsole	Espy	McDowell	Smith (Lawrence)
Briscoe	Gunter	Nance	Tally
Brown	Huddleston	Phillips	West
Butler			

—25

Nays:—None.

And said bill, as thus amended, was read a third time at length and passed.

Yeas, 23; nays, 0.

Yeas:

Messrs:

Acker	Cowan	Miller	Sims
Baker	Espy	Morris	Smith (Coosa)
Beale	Evins	McDowell	Smith (Lawrence)
Bedsole	Gunter	Nance	Tally
Brown	Huddleston	Phillips	West
Butler	Leith	Rogers (Lauderdale)	

—23

Nays:—None.

The bill:

S. 385. To provide that it shall be unlawful to require nurses who are in training to work more than eight hours a day, and to provide a penalty for a violation of this act.

Was read a third time at length and lost.

Yeas, 12; nays, 14.

Yeas:

Messrs:

Baker	Espy	Leith	Prestwood
Brown	Evins	Morris	Rogers (Lauderdale)
Carlton	Huddleston	McDowell	Smith (Lawrence)

—12

Nays:

Messrs:

Beale	Carmichael	Miller	Sims
Bedsole	Cowan	Nance	Tally
Briscoe	Gunter	Rogers (Sumter)	West
Butler	Kelly		

—14

The bill:

S. 305. To prevent the unlawful search of the person, baggage and property of another, to prevent the use of evidence obtained by an unlawful search and to prescribe the punishment for persons and officers violating the provisions of the act.

Was read a third time at length and lost.

Yeas, 12; nays, 16.

Yeas:

Messrs:

Baker	Evins	Leith	Rogers (Lauderdale)
Carlton	Gunter	Moore	Tally
Carmichael	Huddleston	McDowell	West

—12

Nays:

Messrs:

Acker	Brown	Kelly	Rogers (Sumter)
Beale	Butler	Miller	Sims
Bedsole	Cowan	Morris	Smith (Coosa)
Briscoe	Espy	Prestwood	Smith (Lawrence)

—16

ADOPTION OF RESOLUTION.

The resolution:

S. J. R. 111. Relative to amending the highway bill so that the National government may build and maintain bridges across the navigable streams of the United States, etc.

Was read a third time at length and adopted.

RESOLUTIONS.

Mr. Acker offered the following joint resolution:

S. J. R. 134. Resolved by the Senate, the House concurring, that when the two houses adjourn today they adjourn to meet on Wednesday, September 10 at 10 o'clock A. M.

Which was, under a suspension of the rules, adopted.

Mr. Carmichael offered the following resolution:

S. R. 135. Resolved by the Senate, That the Senate go into a Committee of the Whole today at 3 o'clock P. M., for the consideration of Senate bill No. 470, and for the consideration of Senate bills 630 to 650, both inclusive.

Resolved further, That when the committee rises today it be to assemble again on Tuesday, September 9th at 10 o'clock A. M.

Resolved further, That at said committee meetings S. 470 shall be first considered.

Which was read and referred to the Standing Committee on Rules.

Mr. Evins offered the following joint resolution:

S. J. R. 136. Be it resolved by the Senate, the House concurring, That the governor be and he hereby is requested to return to the Senate, Senate bill 399, relating to the salaries of the judges of the Court of Appeals.

Which was under a suspension of the rules adopted.

BILL RETURNED AND RE-REFERRED.

Mr. Carmichael, chairman of the Standing Committee on Education, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report and with a request that it be re-referred to the Standing Committee on Finance and Taxation, to-wit:

S. 566. To establish a school at Eufaula, Alabama, to be known as the Southeast Alabama Industrial School, to provide for its management and to make an appropriation therefor.

Pursuant to such request, the President of the Senate re-referred said bill to the Standing Committee on Finance and Taxation.

BILLS ON THIRD READING RESUMED.

The bill:

S. 521. To create the department of examiners of accounts, to prescribe its powers, duties and functions, provide for the appointment of a chief examiner and assistant examiners, to regulate the duties and compensation of such officials, and to provide clerical help for said department.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 19; nays, 6.

Yeas:

Messrs:

Acker	Butler	Espy	Rogers (Sumter)
Beale	Carlton	Gunter	Sims
Bedsole	Carmichael	Leith	Smith (Lawrence)
Briscoe	Cowan	Miller	West
Brown	Craft	Nance	

—19

Nays:

Messrs:

Huddleston	McDowell	Smith (Coosa)	Tally
Morris	Prestwood		

—6

The bill:

S. 593. To proopse and submit to the qualified electors of the State of Alabama at an election to be held on the first Monday after the expiration of three months from and after the final adjournment of the present session of the Legislature at which this amendment is proposed, an amendment to the Constitution of the State of Alabama, whereby the following municipal corporations, Birmingham, Bessemer, Huntsville, Florence, Mobile and Selma, in the State of Alabama, may levy and collect a rate of taxation on the property situated therein not exceeding in the total in any one year two (2) per centum of the value of such property as assessed, as provided by the Constitution and statutes now or hereafter enacted pursuant to the Constitution; provided, that the total rate of taxation levied by such municipal corporation shall not in any one year exceed one and one-half ($1\frac{1}{2}$) per centum, unless the rate in excess thereof shall have been submitted to and authorized by ballot by the qualified electors of such municipal corporations, respectively, at elections to be held by them from time to time for such purposes and to provide for such elections.

Was taken up.

Mr. Acker offered the following substitute to said bill, towit:

A BILL

To be entitled an act to provide and submit to the qualified electors of the State of Alabama at an election to be held on the first Monday after the expiration of three months from and after the final adjournment of the present session of the Legislature at which this amendment is proposed, an amendment to the Constitution of the State of Alabama, whereby the following municipal corporations, Birmingham, Bessemer, Huntsville, Florence, Selma, Anniston, Athens, Jacksonville, Auburn, Fairfield, and Carbon Hill, in the State of Alabama, may levy and collect a rate of taxation on the property situ-

ated therein not exceeding in the total in any one year one and one-half per centum of the value of such property as assessed, as provided by the Constitution and statutes now or hereafter enacted pursuant to the Constitution; provided that the total rate of taxation levied by such municipal corporations shall not in any one year exceed one (1) per centum, unless the rate in excess thereof shall have been submitted to and authorized by ballot by the qualified electors of such municipal corporations, respectively, at elections to be held by them from time to time for such purposes and to provide for such elections.

Be it enacted by the Legislature of Alabama:

Section 1. That the following amendment to the Constitution of Alabama is hereby proposed to be submitted to the qualified electors of the State of Alabama for their consideration and action at an election to be held on the first Monday after the expiration of three months from and after the final adjournment of the present session of the Legislature at which this amendment is proposed, to-wit: The municipalities of Birmingham, Bessemer, Florence, Huntsville, Selma, Fairfield, Anniston, Athens, Jacksonville, Auburn, and Carbon Hill, in the State of Alabama, shall have the power and right to levy and collect a tax of one-half of one per centum in any one year on property situated therein, based on the valuation of such property as assessed for State taxation for the tax year ending on the 30th day of September next succeeding the levy; provided, that for the purpose of paying bonds issued and outstanding at the time of the adoption of this amendment and the interest thereon, and for the purpose of paying bonds which may be issued after the adoption of this amendment and the interest thereon, an additional tax of one-half of one per centum may be levied and collected by said corporations; provided, further, that a majority of the qualified electors of any of said municipal corporations voting at an election called for that purpose may vote a special tax not to exceed one-half of one per centum in any one year for any special purpose or purposes, which tax shall be used only for the purpose or purposes for which same is levied and collected; provided, however, that the total tax to be levied by any of said municipal corporations shall not exceed one and one-half ($1\frac{1}{2}$) per centum in any one year. Each election held under the provisions hereof shall be ordered, held, canvassed and may be contested in the same manner as is or may be provided by the law applicable to the municipal corporations for elections to authorize the issuance of municipal bonds. The ballots used at such election shall contain the words: "For excess rate of taxation

for the year (or years);" and "Against
 excess rate of taxation for the year (or years)"

The rate of taxation proposed in excess of the rate of one (1) per centum to be shown in the blank space provided therefor and the year or years in which the proposed rate is to apply to be shown in the blank space provided therefor; and in the event different excess rates are proposed for different years the words mentioned shall be repeated as often as may be necessary to show separately the different rates proposed to be applied to the respective years. And the voter shall record his choice, whether for or against the excess rate or rates shown by placing a cross-mark before or after the words expressing his choice. Nothing herein contained shall in any wise change or effect the rights of any holder of bonds of said municipal corporations heretofore issued. Elections to authorize the levy of such special tax may be held as often as ordered by the governing body of the municipality, but when a proposition is submitted to the electors to levy a special tax for a specific purpose, and such proposition is defeated no second election for the same purpose shall be held in one year thereafter.

Sec. 2. That it shall be the duty of the governor to give notice by proclamation, to be published in one newspaper in each county in the State at least eight consecutive weeks next preceding the said election on the amendment proposed by this act to be submitted to the qualified electors of the State for their consideration, together with the proposed amendment.

Sec. 3. That at the said election on the amendment proposed by this act to be submitted to the qualified electors of the State for their consideration, to be held as herein provided for, the qualified electors shall vote upon said amendment, and on the official ballots printed for such election there shall be printed the following, viz:

Shall the following be adopted as an amendment to the Constitution of Alabama:

The municipalities of Birmingham, Bessemer, Florence, Huntsville, and Selma, in the State of Alabama, shall have the power and right to levy and collect a tax of one-half of one per centum in any one year on property situated therein, based on the valuation of such property as assessed for State taxation for the tax year ending on the 30th day of September next succeeding the levy; provided that for the purpose of paying bonds issued and outstanding at the time of the adoption of this amendment and the interest thereon, and for the purpose of paying bonds which may be issued after the adoption of this amendment, and the interest thereon, an additional tax of one-half of one

per centum may be levied and collected by said corporations; provided, further, that a majority of the qualified electors of any of said municipal corporations voting at an election called for the purpose may vote a special tax not to exceed one-half of one per centum in any one year for any special purpose or purposes, which tax shall be used only for the purpose or purposes for which the same was levied and collected; provided, however, that the total tax to be levied by any municipal corporations shall not exceed one and one-half ($1\frac{1}{2}$) per centum in any one year. Each election held under the provisions hereof shall be ordered, held, canvassed and may be contested in the same manner as is or may be provided by the law applicable to the municipal corporation for elections to authorize the issuance of municipal bonds. The ballots used at such election shall contain the words: "For excess rate of taxation for the year (or years);" and "Against excess rate of taxation for the year (or years)". The rate of taxation proposed in excess of the rate of one per centum to be shown in the blank space provided therefor and the year or years in which the proposed rate is to apply to be shown in the blank space provided therefor, and in the event different excess rates are proposed for different years the words mentioned shall be repeated as often as may be necessary to show separately the different excess rates proposed to be applied to the respective years. And the voter shall record his choice, whether for or against the excess rate or rates shown, by placing a cross mark before or after the words expressing his choice. Nothing herein contained shall in any wise change or affect the rights of any holder of bonds of said municipal corporations heretofore issued. Elections to authorize the levy of such special tax may be held as often as ordered by the governing body of the municipality, but when a proposition is submitted to the electors to levy a special tax for a specific purpose, and such proposition is defeated, no second election for the same purpose shall be held on one year thereafter. This amendment shall be self-executing and no act of the Legislature shall be required to put the same, or any part thereof in force. This amendment shall not apply to counties.

Following the proposed amendment on the ballot shall be printed the word "Yes" and immediately under that shall be printed the word "No." The choice of the elector shall be indicated by a cross mark made by him, or under his direction opposite the word expressing his desire.

Sec. 4. That the officers to hold such election shall be the same, and shall be appointed in the same manner and by the same officials as provided by the election law of the State for the appointment of officers to hold general elections in this State, and

the election shall be held in all things in accordance with the law governing general elections and with the constitutional provisions concerning amendments to that instrument.

Section 5. That the votes cast at said election shall be counted, canvassed and tabulated and return thereof made to the Secretary of State in the same manner as in elections of representatives to the Legislature; and if it shall thereupon appear that a majority of the qualified electors who voted at such election upon the proposed amendment voted in favor of the same, such amendment shall be valid in all intents and purposes as a part of the Constitution of Alabama. The result of such election shall be made known by proclamation of the governor.

Sec. 6. The expenses of the election herein provided for and the cost of the publication of the notices shall be paid out of the treasury in the same manner as the expenses of other general elections are paid.

Mr. Morris offered the following amendment to said substitute, to-wit:

Amend bill by adding thereto:

"Provided, that the cities seeking this relief shall pay the expenses of such election."

Mr. Acker moved to lay the amendment offered by Mr. Morris on the table, which motion prevailed, and said amendment was laid on the table.

Mr. Briscoe offered the following amendment to said substitute, to-wit:

Mr. Briscoe offered the following amendment to said substitute, to-wit:

Amend substitute for Senate bill 593, by adding in the caption thereof after the word Birmingham, the words: Mobile, Alabama and Lafayette.

Amend section 1 of said bill immediately after the word Selma, the words Mobile, Lafayette.

Which was adopted.

And said substitute, as thus amended, was adopted.

Yeas, 27; nays, 1.

Yeas:

Messrs:

Acker
Baker
Beale
Bedsole
Briscoe
Brown
Butler

Carlton
Carmichael
Craft
Espy
Gunter
Huddleston
Kelly

Miller
Moore
Morris
McDowell
Nance
Phillips
Rogers (Lauderdale)

Rogers (Sumter)
Sims
Smith (Coosa)
Smith (Lawrence)
Tally
West

—27

Nays:

Mr. Prestwood—1.

And said bill, as thus amended, was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 23 ; nays, 3.

Yeas :

Messrs :

Acker	Butler	Gunter	Rogers (Sumter)
Baker	Caffey	Kelly	Sims
Beale	Carlton	Miller	Smith (Coosa)
Bedsole	Carmichael	Morris	Smith (Lawrence)
Briscoe	Craft	McDowell	Tally
Brown	Espy	Nance	West

—23

Nays :

Messrs :

Huddleston	Phillips	Prestwood
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—3

RECESS.

On motion of Mr. Morris, the Senate, at 1:15 P. M., took a recess until 2:30 o'clock this afternoon.

AFTERNOON SESSION—FORTY-THIRD DAY.

Friday, September 5, 1919.

The Senate reassembled at 2:30 o'clock P. M., Lieutenant Governor Miller, presiding.

ROLL CALL.

On a call of the roll, 34 members answered to their names, a quorum of the Senate as required by the Constitution.

INTRODUCTION OF BILLS.

Upon a call of districts bill were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Smith of Lawrence:

S. 693. To direct the manner in which this State shall appoint the number of electors of or for president and vice-president of the United States, to which it may be entitled under the Constitution of the United States, and to prevent the denial or abridgment on account of sex, of the right to vote for such electors of citizens of the United States, or of the State of Alabama,

or other person who may, by the Constitution and laws of Alabama, be authorized to vote for electors of or for president and vice-president of the United States.

Privileges and Elections.

By Mr. West:

S. 694. To provide for the construction of a fire-proof building for the safekeeping of all county records in all counties of the State having more than one hundred fifty thousand (150) population according to the last or any succeeding Federal census and to provide for the keeping of records therein.

Local Legislation.

Also:

S. 695. To regulate the business of persons, firms, corporations, engaged in the business of renting, leasing, and making contracts, by agents or otherwise, with tenants, concerning real estate, and to regulate the income or revenue therefrom in Alabama.

Corporations.

BILLS ON THIRD READING.

The bill:

H. 792. To take away from all inferior courts created in lieu of justices of the peace in any one or more of the precincts of Jefferson county, Alabama, except any such court so created for one or more of the following precincts, to-wit: 1, 2, 3, 4, 5, 7, 24, 27, 33, 35, 40, 41, 45, 52, 29, 49, 51, 53 and 55, criminal and quasi-criminal jurisdiction.

Was read a third time at length and passed.

Yeas, 19; nays, 0.

Yeas:

Messrs:

Beale
Briscoe
Brown
Butler
Carlton

Carmichael
Craft
Espy
Evins
Gunter

Huddleston
Morris
McDowell
Nance
Phillips

Rogers (Lauderdale)
Smith (Lawrence)
Tally
West

—19

Nays:—None.

The bill:

H. 788. To abolish the second division of the municipal court of Birmingham, Alabama.

Was read a third time at length and passed.

Yeas, 20; nays, 0.

Yeas:

Messrs:

Acker	Carlton	Griffith	Rogers (Sumter)
Baker	Carmichael	Huddleston	Sims
Beale	Craft	Moore	Smith (Coosa)
Briscoe	Espy	Nance	Smith (Lawrence)
Butler	Evins	Prestwood	Tally

—20

Nays:—None.

The bill:

H. 707. To repeal an act entitled: "An act to establish in precinct one in Morgan county, Alabama, an inferior court in lieu of all justices of the peace and notaries public with powers of justices of the peace in said precinct, to be known as the inferior court of Decatur; to define the jurisdiction and powers of said court and the judge thereof." Approved September 2, 1915.

Was read a third time at length and passed.

Yeas, 19; nays, 0.

Yeas:

Messrs:

Acker	Craft	McDowell	Smith (Coosa)
Baker	Griffith	Prestwood	Smith (Lawrence)
Bedsole	Huddleston	Rogers (Lauderdale)	Tally
Brown	Miller	Rogers (Sumter)	West
Carmichael	Morris	Sims	

—19

Nays:—None.

The bill:

H. 711. To repeal an act entitled: "An act to establish in precinct 19, in Morgan county, Alabama, an inferior court in lieu of all justices of the peace and notaries public with powers of justices of the peace in said precinct, to be known as the inferior court of New Decatur; to define the jurisdiction and powers of said court and the judge thereof." Approved September 2, 1915.

Was read a third time at length and passed.

Yeas, 20; nays, 0.

Yeas:

Messrs:

Acker	Griffith	Morris	Rogers (Sumter)
Baker	Huddleston	McDowell	Sims
Brown	Kelly	Phillips	Smith (Coosa)
Carmichael	Leith	Prestwood	Smith (Lawrence)
Craft	Miller	Rogers (Lauderdale)	Tally

—20

Nays:—None.

The bill:

H. 720. Empowering the clerk of the circuit court in the county of Baldwin to take affidavits for the arrest of parties charged with crime, and to issue warrants for the arrest of such parties, returnable before the judge of the county court.

Was taken up.

Mr. Kelly offered the following amendment to said bill:

Amend House bill 720 by striking out the words: "General Assembly," where they occur in section one and inserting in lieu thereof "Legislature."

Which was adopted.

Yeas, 20; nays, 0.

Yeas:

Messrs:

Acker	Evins	Nance	Sims
Baker	Gunter	Phillips	Smith (Coosa)
Brown	Harper	Prestwood	Smith (Lawrence)
Carlton	Morris	Rogers (Lauderdale)	Tally
Craft	McDowell	Rogers (Sumter)	West

—20

Nays:—None.

And said bill, as thus amended, was read a third time at length and passed.

Yeas, 21; nays, 0.

Yeas:

Messrs:

Acker	Cowan	Miller	Rogers (Sumter)
Baker	Espy	McDowell	Sims
Brown	Evins	Nance	Smith (Coosa)
Butler	Griffith	Prestwood	Smith (Lawrence)
Carlton	Huddleston	Rogers (Lauderdale)	Tally
Carmichael			

—21

Nays:—None.

The bill:

H. 625. To fix the salary of the deputy solicitor for Baldwin county, Alabama.

Was read a third time at length and passed.

Yeas, 20; nays, 0.

Yeas:

Messrs:

Acker	Evins	Morris	Rogers (Sumter)
Baker	Griffith	McDowell	Smith (Coosa)
Brown	Gunter	Nance	Smith (Lawrence)
Carmichael	Huddleston	Prestwood	Tally
Cowan	Miller	Rogers (Lauderdale)	West

—20

Nays:—None.

The bill:

H. 729. To make better provision for the payment of the fees of State witnesses in criminal cases in the circuit court and county court and before the grand jury of Crenshaw county, to make appropriations therefor and to fix the amount of such fees and to prescribe the duties of the county treasurer under this act.

Was read a third time at length and passed.

Yeas, 21; nays, 0.

Yeas:

Messrs:

Acker	Craft	Miller	Sims
Beale	Evins	McDowell	Smith (Coosa)
Briscoe	Griffith	Nance	Smith (Lawrence)
Butler	Huddleston	Prestwood	Tally
Carlton	Leith	Rogers (Sumter)	West
Carmichael			

—21

Nays:—None.

The bill:

S. 589. To establish inferior courts in lieu of all justices of the peace and notaries public with power of justices of the peace in precincts lying within or partly within the county seats of all counties in the State of Alabama having a population of not less than 26,000 and not exceeding 26,900, according to the Federal census of 1910; provided said county seats having a population of 1,500 or more according to Federal census of 1910; to define jurisdiction and powers of said courts and judges and officers thereof and to provide for a place of holding said courts, terms and salaries of the judges and officers of said courts and the manner of their appointment or election and the payment of their salaries.

Was taken up.

The Standing Committee on Revision of Laws offered the following amendment to said bill, to-wit:

Amend S. 589 by adding to the caption after the words, "Federal census of 1910," the following: "or any subsequent Federal census." Also amend section 1 by adding after the words: "Federal census of 1910" the following: "or any subsequent Federal census."

Which was adopted.

Yeas, 20; nays, 0.

Yeas:

Messrs:

Acker	Brown	Cowan	Miller
Baker	Carlton	Griffith	Moore
Bedsole	Carmichael	Huddleston	Morris

McDowell	Rogers (Lauderdale)	Smith (Coosa)	Tally
Prestwood	Rogers (Sumter)	Smith (Lawrence)	West

—20

Nays:—None.

And said bill, as thus amended, was read a third time at length and passed.

Yeas, 20; nays, 0.

Yeas:

Messrs:

Acker	Espy	McDowell	Sims
Baker	Evins	Phillips	Smith (Coosa)
Briscoe	Huddleston	Prestwood	Smith (Lawrence)
Carmichael	Miller	Rogers (Lauderdale)	Tally
Ellis	Morris	Rogers (Sumter)	West

—20

Nays:—None.

The bill:

H. 599. To regulate the fines and forfeitures of Coffee county, Alabama; to prescribe what claims shall be filed against the fine and forfeiture fund of said county, and to prescribe the order of priority in which the same shall be paid.

Was read a third time at length and passed.

Yeas, 18; nays, 0.

Yeas:

Messrs:

Acker	Huddleston	Phillips	Smith (Coosa)
Baker	Leith	Rogers (Lauderdale)	Smith (Lawrence)
Butler	Miller	Rogers (Sumter)	Tally
Carmichael	Morris	Sims	West
Griffith	McDowell		

—18

Nays:—None.

The bill:

H. 366. To amend an act entitled, "An act to prevent stock from running at large in beats 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 12, 13, 16 and 17 in Coosa county.

Was read a third time at length and passed.

Yeas, 19; nays, 0.

Yeas:

Messrs:

Acker	Espy	Nance	Smith (Coosa)
Baker	Griffith	Prestwood	Smith (Lawrence)
Briscoe	Huddleston	Rogers (Lauderdale)	Tally
Carlton	Leith	Rogers (Sumter)	West
Carmichael	McDowell	Sims	

—19

Nays:—None.

REPORT FROM RULES COMMITTEE.

Mr. Acker, chairman of the Standing Committee on Rules, reported that said committee, in session, had acted on the following resolution and ordered same returned to the Senate with a favorable report, to-wit:

S. R. 135. Resolved by the Senate, That the Senate go into a Committee of the Whole today at 3 o'clock P. M., for the consideration of Senate bill No. 470 and for the consideration of Senate bills 630 to 650, both inclusive.

Resolved further, That when the committee rises today it be to assemble again on Tuesday, September 9th at 10 o'clock A. M.

Resolved further, That at said committee meetings S. 470 shall be first considered.

And on motion of Mr. Acker said report was concurred in, and said resolution was, under a suspension of the rules, adopted by the Senate.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has concurred in and adopted the Senate amendment to the bill:

H. 383. To provide for the general revenue of the State of Alabama.

Fred H. Gormley,
Clerk.

COMMITTEE OF THE WHOLE.

The Senate at 3 o'clock P. M., on motion of Mr. Carmichael, resolved itself into a Committee of the Whole, under Senate resolution No. 135, heretofore adopted.

At 3:15 o'clock P. M., the Committee of the Whole rose and the Senate re-convened.

BILLS ON THIRD READING RESUMED.

The bill:

H. 880. To provide for the construction, maintenance and control of the public roads and bridges of all counties in the State of Alabama having a population of not less than 27,155, and not more than 27,200, by the last or any subsequent Federal census; to further define the duties of the courts of county commissioners, or like governing bodies, of all such counties; to provide for the levy and collection of a vehicle license tax; to provide for the levy and collection of a per capita road tax in com-

mutation of road duty; and to regulate the performance of road duty in such counties by the citizens thereof.

Was taken up.

Mr. Kelly offered the following amendment to the bill:

Amend House bill No. 880 by striking out the word "first" before the words "day of December" in line eight of section 8 and insert in lieu thereof the word "last."

Which was adopted.

Yeas, 21; nays, 0.

Yeas:

Messrs:

Acker	Griffith	Moore	Sims
Baker	Huddleston	Morris	Smith (Coosa)
Bedsole	Kelly	McDowell	Smith (Lawrence)
Carmichael	Leith	Rogers (Lauderdale)	Tally
Ellis	Miller	Rogers (Sumter)	West
Espy			

—21

Nays:—None.

And said bill, as thus amended, was read a third time at length and passed.

Yeas, 20; nays, 0.

Yeas:

Messrs:

Acker	Evins	McDowell	Sims
Baker	Griffith	Phillips	Smith (Coosa)
Carmichael	Huddleston	Prestwood	Smith (Lawrence)
Cowan	Kelly	Rogers (Lauderdale)	Tally
Craft	Miller	Rogers (Sumter)	West

—20

Nays:—None.

The bill:

H. 769. To authorize the court of county commissioners of Bibb county, Alabama, to issue interest bearing warrants to officers and employees of said county in settlement of claims against the county for services when the county is unable to pay for such services when such claims accrue.

Was read a third time at length and passed.

Yeas, 20; nays, 0.

Yeas:

Messrs:

Acker	Craft	Morris	Rogers (Lauderdale)
Baker	Espy	McDowell	Rogers (Sumter)
Bedsole	Griffith	Nance	Sims
Carlton	Huddleston	Phillips	Smith (Coosa)
Carmichael	Moore	Prestwood	Smith (Lawrence)

—20

Nays:—None.

MESSAGE FROM THE GOVERNOR.

In re Senate bill No. 310.

Gentlemen of the Senate:

I herewith return Senate bill No. 310, without my approval. Being a local bill, the notice and proof of publication is defective in that it affirmatively appears therefrom that the notice was published once a week for only three consecutive weeks, and not once a week for four consecutive weeks as required by section 106 of the Constitution.

Respectfully,
Thos. E. Kilby,
Governor.

September 5, 1919.

GOVERNOR'S MESSAGE.

On motion of Mr. Gunter, the Senate refused to pass:

S. 310. To fix the salary of the judge of probate of Montgomery county, Alabama, and allowance for clerical help and other expenses in said office, and to provide for payment thereof.

Over the veto of the governor.

Yeas, 0; nays, 21.

Nays:

Messrs:

Acker	Griffith	Nance	Sims
Bedsole	Huddleston	Phillips	Smith (Coosa)
Carmichael	Miller	Prestwood	Smith (Lawrence)
Cowan	Moore	Rogers (Lauderdale)	Tally
Craft	McDowell	Rogers (Sumter)	West
Espy			

Yeas:—None.

—21

MESSAGE FROM THE HOUSE.

Mr. President:

The House has concurred in and adopted the:

S. J. R. 136. Relative to the return of S. 399 from the governor.

Fred H. Gormley,
Clerk.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has concurred in the Senate joint resolution No. 134, relative to the adjournment of the two houses until Wednesday, September 10th, at 10 o'clock A. M.

Fred H. Gormley,
Clerk.

OATH OF OFFICE SENATOR FROM LOWNDES COUNTY.

Mr. H. M. Caffey, senator elected from Lowndes county to fill the vacancy in the Senate of the State of Alabama caused by the death of Honorable Joseph Norwood, came forward, presented his credentials from the secretary of State and took the following oath of office:

OATH OF OFFICE.

I do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Alabama, so long as I continue a citizen thereof and that I will faithfully and honestly discharge the duties of the office upon which I am about to enter to the best of my ability, so help me God.

H. M. Caffey.

The certificate of election of said H. M. Caffey being as follows:

I, Wm. P. Cobb, Secretary of State, hereby certify in accordance with the provisions of Section 426 of the Code of 1907, that the election returns on file in my office show that H. M. Caffey was elected Senator from the Sixteenth Senatorial District of the State of Alabama, at a special election held on the second day of September, 1919.

In testimony whereof, I have hereunto set my hand and affixed the Great Seal of State, at the Capitol, in the city of Montgomery, this fifth day of September in the year of our Lord one thousand nine hundred and nineteen and of the Independence of the United States of America the one hundred and forty-fourth year.

(Seal)

Wm. P. Cobb,
Secretary of State.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has concurred in the Senate amendment to the bill:

H. 650. To provide for the appointment of bailiffs in circuits composed of only one county and having four or more judges and having a sheriff serving on a salary basis, and to fix the compensation of such bailiffs and provide for its payment.

Fred H. Gormley,
Clerk.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has concurred in and adopted the conference report on the disagreement of the two houses on the Senate amendment to the bill:

H. 12. To amend an act entitled an act to amend section 3317 of the Code of Alabama of 1907. Relates to the publication of receipts and disbursements by counties, approved September 25, 1915.

Fred H. Gormley,
Clerk.

NOTICE OF RECONSIDERATION OF BILL.

Mr. Kelly gave to the Senate the following notice in writing: "I hereby give notice that on the next legislative day, to-wit: September 10, 1919, I will move to reconsider the vote by which Senate bill No. 305 was lost. This September 5, 1919.

Riley Kelly."

MESSAGE FROM THE HOUSE.

Mr. President:

The Speaker having signed the following House bills, your signature thereto is requested:

H. 787. To establish an inferior criminal court for Jefferson county, Alabama, to define the jurisdiction and powers of said court, the judge, clerk and other officers thereof; to provide for a place of holding said court, terms and salaries of said judge and officers of said court, the manner of their appointment and election, and the payment of their salaries.

Also:

H. 714. To prohibit live stock from running at large in all counties in Alabama having a population of not less than twenty-four thousand six hundred and fifty (24,650) nor more than twenty-four thousand seven hundred (24,700) according to the Federal census of 1910; or any subsequent Federal census; to provide for the enforcement of the provisions of this act; to fix penalties for the violation of the provisions of this act, and to repeal all laws and parts of laws in conflict herewith.

Also:

H. 687. To conserve and save from depletion the public oyster reefs of Alabama, and to further regulate the taking of oysters from the public reefs of the State, and for the protection of and extension of such reefs, and the development of the oyster industry, to declare such oysters the property of the State and to prescribe the condition under which such title may be divested and such oysters become articles of commerce, to provide for the payment of a license and tax by those catching, selling, or transporting the same, the rules of evidence on the trials of those violating the provisions of this act, who may try such cases, pro-

vide penalties for the violation of this act, and that all expenses incurred in carrying the provisions of same into effect shall be paid out of the oyster fund.

Also:

H. 546. To amend sections 3, 7 and 11 of an act entitled An act to establish a board of revenue for Sumter county, and for the abolishment of the court of county commissioners of said county, approved February 22nd, 1919.

Also:

H. 402. To make the sheriff's fees the same in the county court of Lauderdale county, Alabama, as they are in the circuit court.

Also:

H. 403. To make the clerk of the circuit court of Lauderdale county, Alabama, ex-officio clerk of the county court of Lauderdale county, Alabama. To provide for compensation for his services as such clerk.

Fred H. Gormley,
Clerk.

SIGNING OF BILLS.

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the following bills:

H. 787. To establish an inferior criminal court for Jefferson county, Alabama, to define the jurisdiction and powers of said court, the judge, clerk and other officers thereof; to provide for a place of holding said court, terms and salaries of said judge and officers of said court, the manner of their appointment and election, and the payment of their salaries.

H. 714. To prohibit live stock from running at large in all counties in Alabama having a population of not less than twenty-four thousand six hundred and fifty (24,650) nor more than twenty-four thousand seven hundred (24,700) according to the Federal census of 1910 or any subsequent Federal census; to provide for the enforcement of the provisions of this act; to fix penalties for the violation of the provisions of this act, and to repeal all laws and parts of laws in conflict herewith.

H. 687. To conserve and save from depletion the public oyster reefs of Alabama, and to further regulate the taking of oysters from the public reefs of the State, and for the protection of and extension of such reefs, and the development of the oyster industry, to declare such oysters the property of the State and

to prescribe the condition under which such title may be divested, and such oysters become articles of commerce, to provide for the payment of a license and tax by those catching, selling, or transporting the same, the rules of evidence on the trials of those violating the provisions of this act, who may try such cases, provide penalties for the violation of this act, and that all expenses incurred in carrying the provisions of same into effect shall be paid out of the oyster fund.

H. 546. To amend sections 3, 7 and 11 of an act entitled An act to establish a board of revenue for Sumter county, and for the abolishment of the court of county commissioners of said county, approved February 22nd, 1919.

H. 402. To make the sheriff's fees the same in the county court of Lauderdale county, Alabama, as they are in the circuit court.

H. 403. To make the clerk of the circuit court of Lauderdale county, Alabama, ex-officio celrk of the county court of Lauderdale county, Alabama. To provide for compensation for his services as such clerk.

REPORT FROM THE SECRETARY.

To the Senate:

Gentlemen:—I submit the following report, made pursuant to joint rule No. 5, relative to delivery of enrolled and signed bills to the governor, to-wit:

S. 398. To fix the salaries of the several justices of the Supreme Court.

Delivered to the governor August 29th, 1919, at 6:05 P. M.

S. 448. To create a county highway commission for Cherokee county, Alabama, to be known as the Cherokee county highway commission and to provide for the appointment thereof by the governor; to invest it with full, complete and unlimited jurisdiction over the public roads, bridges and ferries in Cherokee county; to prescribe and define its powers and duties as such highway commission, and to repeal all laws and parts of laws in conflict therewith; to abolish free labor on the public roads in Cherokee county and in lieu thereof, assess public road dues on those required to perform free labor on the public roads; to authorize the commission to take charge of all the public road tools and machinery belonging to the county, and to receive all the funds now provided by the county for the use of the public roads, bridges and ferries therein; and, in addition thereto, to levy and collect special privilege license taxes for the construction and maintenance of the public roads, bridges and ferries in the coun-

ty. To authorize and empower the commission to exercise all the legislative, judicial and executive authority over the public roads, bridges and ferries conferred by law on the court of county commissioners. To fix penalties for the violations of any of the provisions of this act, and for the violation of any of the rules or legislative acts of the commission.

Delivered to the governor September 2nd, 1919, at 11 o'clock A. M.

S. 239. To amend section ten (10) of an act approved September 25, 1919, and entitled "An act to provide for the appointment of an official court reporter by each circuit judge in Alabama; to fix their compensation, define their duties and provide for special reporters in certain cases."

Delivered to the governor September 2nd, 1919, at 11 o'clock A. M.

S. 298. To further provide for improvement and maintenance of the public roads and bridges of Henry county, Alabama, by authorizing the court of county commissioners thereof, to fix and provide payment of a per capita road tax in lieu of road and bridge service, and levy and collect a vehicle tax and to provide penalty for violations of and failures to comply with provisions created under authority of this act.

Delivered to the governor September 2nd, 1919, at 11 o'clock A. M.

S. 231. To provide for a judge of the county court, fix his compensation, provide for a clerk of such court and fix his compensation, and also fix the compensation of the sheriff for services in such court in all counties having a population of more than 37,900 and less than 38,000 according to the Federal census of 1910 and to provide for the payment of the same.

Delivered to the governor September 2nd, 1919, at 11 o'clock A. M.

S. 300. To prescribe the maximum limit for the principal of unpaid outstanding indebtedness against Henry county, Alabama, not to exceed at any time.

Delivered to the governor September 2nd, 1919, at 11 o'clock A. M.

S. 238. To provide for and regulate the use of grand and petit juries for the criminal divisions of all circuit courts of this State, holding at the county site, in all circuits which are now or may hereafter be composed on only one county and in which there are now or may hereafter be provided more than three judges, independent of an separate and apart from the juries for the other divisions of such courts, and to regulate the transfer of juries

from civil to criminal divisions thereof, and from criminal to civil divisions thereof.

Delivered to the governor September 2nd, 1919, at 11 o'clock A. M.

S. 434. To establish a board of revenue for Russell county, to provide for the appointment and election of the members thereof and prescribe their duties and powers, to provide for a president of said board and fix his duties and powers; and fix their compensation; to divide the county of Russell into five (5) board of revenue districts, and abolish the court of county commissioners, and to repeal all conflicting laws general, local and special.

Delivered to the governor September 2nd, 1919, at 11 o'clock A. M.

S. 438. To authorize and direct the board of revenue of Jefferson county, Alabama, to cause to be paid out of the county treasury of Jefferson county, Alabama, stenographic fees incurred by the recess committee having under consideration local legislation for Jefferson county, Alabama.

Delivered to the governor September 2nd, 1919, at 11 o'clock A. M.

S. 423. To amend an act entitled "An act to create the office of assistant clerk of the inferior criminal court of Mobile county, prescribe his or her duties, to fix his or her salary and provide for the method of selection for said office," approved February 15th, 1919.

Delivered to the governor September 2nd, 1919, at 11 o'clock A. M.

S. 310. To fix the salary of the judge of probate of Montgomery county, Alabama, and allowance for clerical help and other expenses in said office, and to provide for payment thereof.

Delivered to the governor September 2nd, 1919, at 11 o'clock A. M.

S. 99. To provide for the payment and retirement of claims against the fine and forfeiture fund in counties having a population of two hundred thousand or more according to the last or any subsequent Federal census.

Delivered to the governor September 2nd, 1919, at 11 o'clock A. M.

S. 408. To amend section 13 of an act entitled an act to provide for the better construction, repairing, working, and maintaining of public roads and bridges in Talladega county, Alabama, approved March 15, 1911, and to amend said section 13

of said act as amended by act of the Legislature approved July 17, 1915, so as to make the same read as follows, to-wit:

Delivered to the governor September 2nd, 1919, at 11 o'clock A. M.

S. 100. To provide for the payment of fees, charges and commissions of county officers, and fines and forfeitures into the general fund of the county, in counties having a population of two hundred thousand or more according to the last or any subsequent Federal census.

Delivered to the governor September 2nd, 1919, at 11 o'clock A. M.

S. 465. To amend section 4 of an act entitled, "An act for better construction, repairing, working and maintaining of the public roads and bridges in Sumter county," approved September 22nd, 1915.

Delivered to the governor September 2nd, 1919, at 11 o'clock A. M.

S. 412. To amend section 4 of "An act to fix the compensation of circuit judges, circuit solicitors, and assistant solicitors in all circuits of the State of Alabama which circuits are composed of only one county and having two or more judges, or which circuits may hereafter have two or more judges, and to provide that a portion of such salaries be paid out of the county treasury of the counties constituting the respective circuits.

Delivered to the governor September 2nd, 1919, at 11 o'clock A. M.

S. 356. To make the clerk of the circuit court of Cullman county, Alabama, ex-officio clerk of the county court of said county and to define his duties and to provide for his fees and compensation.

Delivered to the governor September 2nd, 1919, at 11 o'clock A. M.

S. 381. For the relief of Annie B. Moore.

Delivered to the governor September 2nd, 1919, at 11 o'clock A. M.

S. 443. To amend section 2 and 3 of an act entitled, "An act to establish a board of revenue for Shelby county, and to abolish the court of county commissioners thereof," passed at the session of 1911, being in Local Acts of Alabama, page 154, said amendment making the president and members of said board elective by the qualified voters of said county, and fixing the term of office of said president and members of said board and the time of their election and providing that in case of a vacancy in the office of president or a member of said board; and providing further that the president and members of the board now holding office shall

hold their said office until their successors are elected and qualified under the provisions of this act.

Delivered to the governor September 3rd, 1919, at 3:15 P. M. S. 399. To fix the salary of the several judges of the Court of Appeals.

Delivered to the governor September 3rd, 1919, at 3:15 P. M. S. 205. To regulate fraternal beneficiary societies, orders or associations.

Delivered to the governor September 3rd, 1919, at 3:15 P. M.
W. F. Miller,
Secretary.

SECRETARY'S REPORT.

On motion of Mr. Griffith the foregoing report of the Secretary was read at length to, and adopted by, the Senate.

ADJOURNMENT.

On motion of Mr. Morris and pursuant to S. J. R. 134, heretofore adopted, the Senate at 4:10 o'clock P. M., adjourned until Wednesday morning, September 10, 1919, at 10 o'clock A. M.

FORTY-FOURTH DAY.

Wednesday, September 10, 1919.

The Senate met pursuant to adjournment, Lieutenant Governor Miller presiding.

PRAYER.

By Rev. Dr. J. L. Williams, of Albertville, President Alabama Conference.

ROLL CALL.

Present:

Mr. President and

Messrs:

Acker	Carmichael	Huddleston	Prestwood
Baker	Cowan	Kelly	Rogers (Lauderdale)
Beale	Craft	Leith	Rogers (Sumter)
Bedsole	Ellis	Miller	Sims
Briscoe	Espy	Moore	Smith (Coosa)
Brown	Evins	Morris	Smith (Lawrence)
Butler	Griffith	McDowell	Tally
Caffey	Gunter	Nance	West
Carlton	Harper	Phillips	

JOURNAL.

On motion of Mr. Rogers of Sumter, the reading of the Journal of yesterday was dispensed with and the same approved by the Senate.

INTRODUCTION OF BILLS.

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Rogers of Sumter:

S. 696. To fix the salary of the judge of the county court in all counties having a population of not less than twenty-eight thousand six hundred and seventy (28,670) and not more than twenty-eight thousand seven hundred and twenty (28,720) according to the Federal census of 1910 and provide for the payment of the same.

Finance and Taxation.

By Mr. Beale:

S. 697. To abolish all county courts and the office of deputy solicitor in all counties in the State of Alabama, in which there is but one circuit judge, which counties alone constitute a judicial circuit, and repealing all laws or parts of laws in conflict with the provisions of this act, and providing when this act shall take effect.

By Mr. Acker:

S. 698. To require all county treasurers to receipt the dockets of all clerks, judges of probate, registers in chancery, sheriffs or any other officer of a court of record for all fees due the respective counties from said officers, where said officers now or may hereafter receive for their compensation a salary, and where said fees are due to be paid into the county treasury by said officers, and all fiduciary fees paid into the county treasury, as is provided by law.

Finance and Taxation.

By Mr. Huddleston:

S. 699. To prevent working any convict more than sixty hours in any cotton mill in any one week and fixing a penalty for same.

Penitentiary, Prison and Prison Punishment.

By Mr. West:

S. 700. To make an appropriation for the rebuilding of the Ninth District Agricultural School now located by law at Blountsville, Blount county, in this State.

Finance and Taxation.

By Mr. West:

S. 701. To provide for the relief of L. F. Jackson and to authorize the payment to him of the sum of one hundred dollars out of the fine and forfeiture fund of Jefferson county, same having been paid by him upon the forfeiture of a bond of Judge Morrow.

Finance and Taxation.

With notice and proof hereto attached and exhibited as follows:

NOTICE.

Notice is hereby given that application will be made to the Legislature of Alabama for the passage of an act in substance as follows:

To provide for the relief of L. F. Jackson and to authorize the payment to him of the sum of one hundred dollars out of the fine and forfeiture fund of Jefferson county, same having been paid by him upon the forfeiture of a bond of Judge Morrow.

Be it enacted by the Legislature of Alabama:

Section 1. That the sum of one hundred dollars heretofore paid by L. F. Jackson into the fine and forfeiture fund of Jefferson county upon the forfeiture of a bond on one Judge Morrow, be and the same is hereby refunded and the treasurer of Jefferson county is hereby authorized and directed to pay to the said L. F. Jackson said sum of one hundred dollars out of the fine and forfeiture fund of Jefferson county.

State of Alabama, }
County of Jefferson. }

Personally appeared before me, Mary Mosley, notary public in and for said State and county, J. H. F. Mosley, who, being duly sworn, deposes and says that he is editor and manager of the Labor Advocate, a weekly newspaper published at Birmingham, Alabama; and that the advertisement notice attached hereto was published in the Labor Advocate on the following dates: July 12, 19, 26, August 3, 1919.

J. H. F. Mosley.

Sworn to and subscribed before me, this 8th day of September, 1919.

Mary Mosley,
Notary Public.

By Mr. Harper:

S. 702. To authorize the courts of county commissioners, boards of revenue, or like officers of each county of the State of Alabama, to pay for the improvements or constructing of public roads, public highways, bridges, crossways, culverts, viaducts or other public improvements which may have been heretofore ordered made by such court of county commissioners, boards of revenue, or within any municipality within their county, and which remains unpaid because such court of county commissioners, board of revenue, or like officers had no authority to order such improvements, or for any other reason.

Public Roads and Highways.

By Mr. Bedsole:

S. 703. To amend section 692 of the Code of Alabama.

Finance and Taxation.

By Mr. Carlton:

S. 704. To provide that in all the counties of the State of Alabama, having a population of not less than 39,920, nor more than 39,925 according to the last preceding or any subsequent Federal census, that the interest on all interest bearing warrants issued from and after the passage and approval of this act, by the court of county commissioners, board of revenue or other governing board of such counties, or by authority of such court of county commissioners, boards of revenue, or other governing board of such counties, shall be a preferred claim against the **general fund of such counties**, shall be payable out of the **general fund of such counties** each year, and to provide the manner and time of the payment of such interest out of said general fund.

Local Legislation.

By Mr. Baker:

S. 705. To provide for an appropriation of two hundred thousand dollars to purchase school books for children within the school age, who are unable to purchase such books, and provide the manner of its distribution.

Finance and Taxation.

Also:

S. 706. To authorize resident physicians of this State who are graduates of any reputable medical college of the State, and who have practiced medicine and surgery in the service of the United States with the American expeditionary forces in foreign countries for as much as ten months, to practice medicine without further examination or qualification.

Public Health.

By Mr. Gunter:

S. 707. To vacate the dedication of all streets, roads, avenues and alleys through, over, on or across the following described property, situated in the county of Montgomery and State of Alabama, to-wit: Beginning at the half mile corner in the center of section ten (10), township sixteen (16), range seventeen (17); thence west twenty-one hundred forty-five (2,145) feet to the right of way of the Mobile & Ohio railroad; thence along said railroad right of way north forty (40) degrees thirty (30) minutes west twenty-eight hundred two (2,802) feet; thence and continue with said railroad right of way north forty-two and one-half ($42\frac{1}{2}$) degrees west one hundred ninety-four (194) feet to a stake; thence north forty-nine (49) degrees thirty (30) minutes east twelve hundred forty-three (1,243) feet; thence north seventy-two and one-half ($72\frac{1}{2}$) degrees east six hundred three (603) feet; thence north forty-four (44) degrees east nine hundred sixty-two (962) feet to the Washington Ferry road;

thence along the west side of said road south fifty three and one-half ($53\frac{1}{2}$) degrees east nine hundred (900) feet; thence and continue with said road south forty-five and one-half ($45\frac{1}{2}$) degrees east two hundred twenty-five feet; thence and continue with said road south thirty-nine (39) degrees thirty (30) minutes east five hundred (500) feet; thence and continue with said road south thirty (30) minutes east one hundred one (101) feet; thence and continue with said road south sixteen (16) degrees east five hundred (500) feet; thence and continue with said road south thirty (30) minutes east five hundred (500) feet; thence and continue with said road south twenty (20) degrees east one hundred eighty (180) feet; thence and continue with said road south twenty-seven (27) degrees east eighty-nine (89) feet to a stake; thence south (1) degree west five hundred eighty-one (581) feet to a stake; thence east three hundred seventy-seven (377) feet to a stake; thence south along the half section line five hundred eighty-seven (587) feet and to a point three hundred seventy-three (373) feet north of the said center of section ten (10); thence south fifty-seven and one-half ($57\frac{1}{2}$) degrees east ninety-four (94) feet; thence south eighty-six (86) degrees east eight hundred nineteen (819) feet; thence south fifteen (15) degrees east two hundred sixty-four (264) feet to a stake; thence west forty-one (41) feet; thence south fifteen (15) degrees east two thousand sixty-five (2,065) feet to the Selma road, thence along said road south seventy-five (75) degrees west five hundred seven (507) feet; thence south fifty-four (54) degrees west one hundred forty-two (142) feet along the said road; thence and continue the said Selma road south forty-four (44) degrees west five hundred forty-three (543) feet to the intersection of the right of way of the Mobile and Ohio railroad; thence along and with the curvature of said railroad right of way north seventy-two (72) degrees west two hundred seventy (270) feet; thence and continue with said railroad right of way north sixty-five and one-half ($65\frac{1}{2}$) degrees west two hundred forty-five (245) feet to the half section line dividing section ten (10); thence north along said half section line twenty-four hundred twenty (2,420) feet to the center of section ten (10), township sixteen (16), range seventeen (17), the said point of beginning.

Local Legislation.

(With notice and proof attached and herewith exhibited as follows:

State of Alabama, }
Montgomery County. }

Personally appeared before me, John DeMotte, a notary public in and for said county in said State, Brame Hood, who is known to me, and who,

being first duly sworn, deposes and says on oath that he is assistant manager of The Montgomery Journal, a newspaper published daily in the city of Montgomery, in the county of Montgomery, in the State of Alabama, and which has been so published for the last several years; and that the following notice, to-wit:

"Notice is hereby given that a bill will be introduced for passage in the Legislature of Alabama, at its present session, such bill to be entitled and in substance as follows:

AN ACT

To vacate the dedication of all streets, roads, avenues and alleys through, over, on or across the following described property, situated in the county of Montgomery and State of Alabama, to-wit:

Beginning at the half mile corner in the center of section ten (10), township sixteen (16), range seventeen (17); thence west twenty-one hundred forty-five (2145) feet to the right of way of the Mobile & Ohio Railroad; thence along said railroad right of way north forty (40°) degrees thirty (30') minutes west twenty-eight hundred two (2802) feet; thence and continue with said railroad right of way north forty-two and one-half (42½°) degrees west one hundred ninety-four (194) feet to a stake; thence north forty-nine (49°) degrees thirty (30') minutes east twelve hundred forty-three (1243) feet; thence north seventy-two and one-half (72½°) degrees east six hundred three (603) feet; thence north forty-four (44°) degrees east nine hundred sixty-two (962) feet to the Washington Ferry Road; thence along the west side of said road south fifty-three and one-half (53½°) degrees east nine hundred (900) feet; thence and continue with said road south forty-five and one-half (45½°) degrees east two hundred twenty-five (225) feet; thence and continue with said road south thirty-nine (39°) degrees thirty (30') minutes east five hundred (500) feet; thence and continue with said road south thirty (30') minutes east one hundred one (101) feet; thence and continue with said road south sixteen (16°) degrees east five hundred (500) feet; thence and continue with said road south thirty (30') minutes east five hundred (500) feet; thence and continue with said road south twenty (20°) degrees east one hundred eighty (180) feet; thence and continue with said road south twenty-seven (27°) degrees east eighty-nine (89) feet to a stake; thence south one (1°) degree west five hundred eighty-one (581) feet to a stake; thence east three hundred seventy-seven (377) feet to a stake; thence south along the half section line five hundred eighty-seven (587) feet and to a point three hundred seventy-three (373) feet north of the said center of section ten (10); thence south fifty-seven and one-half (57½°) degrees east ninety-four (94) feet; thence south eighty-six (86°) degrees east eight hundred nineteen (819) feet; thence south fifteen (15°) degrees east two hundred sixty-four (264) feet to a stake; thence west forty-one (41) feet; thence south fifteen (15°) degrees east two thousand and sixty-five (2065) feet to the Selma road; thence along said road south seventy-five (75°) degrees west five hundred seven (507) feet; thence south fifty-four (54°) degrees west one hundred forty-two (142) feet along the said road; thence and continue with said Selma road south forty-four (44°) degrees west five hundred forty-three (543) feet to the intersection of the right of way of the Mobile & Ohio Railroad; thence along and with the curvature of said railroad right of way north seventy-two (72°) degrees west two hundred seventy (270) feet; thence and continue with said railroad right of way north sixty-five feet and one-half (65½°) degrees west two hundred forty-five (245) feet to the half section line dividing section ten (10); thence north along said half section line twenty-four hundred twenty (2420) feet

to the center of section ten (10), township sixteen (16), range seventeen (17), the said point of beginning.

Be it enacted by the Legislature of Alabama:

Section 1. That the dedication of all streets, roads, avenues and alleys through, over, on or across that tract of land, situated in the county of Montgomery and State of Alabama, which is described as follows:

Beginning at the half mile corner in the center of section ten (10), township sixteen (16), range seventeen (17); thence west twenty-one hundred forty-five (2145) feet to the right of way of the Mobile & Ohio Railroad; thence along said railroad right of way north forty (40°) degrees thirty (30') minutes west twenty-eight hundred two (2802) feet; thence and continue with said railroad right of way north forty-two and one-half ($42\frac{1}{2}^{\circ}$) degrees west one hundred ninety-four (194) feet to a stake; thence north forty-nine (49°) degrees thirty (30') minutes east twelve hundred forty-three (1243) feet; thence north seventy-two and one-half ($72\frac{1}{2}^{\circ}$) degrees east six hundred three (603) feet; thence north forty-four (44°) degrees east nine hundred sixty-two (962) feet to the Washington Ferry Road; thence along the west side of said road south fifty-three and one-half ($53\frac{1}{2}^{\circ}$) degrees east nine hundred (900) feet; thence and continue with said road south forty-five and one-half ($45\frac{1}{2}^{\circ}$) degrees east two hundred twenty-five (225) feet; thence and continue with said road south thirty-nine (39°) degrees thirty (30') minutes east five hundred (500) feet; thence and continue with said road south thirty (30') minutes east one hundred one (101) feet; thence and continue with said road south sixteen (16°) degrees east five hundred (500) feet; thence and continue with said road south thirty (30') minutes east five hundred (500) feet; thence and continue with said road south twenty (20°) degrees east one hundred eighty (180) feet; thence and continue with said road south twenty-seven (27°) degrees east eighty-nine (89) feet to a stake; thence south one (1°) degree west five hundred eighty-one (581) feet to a stake; thence east three hundred seventy-seven (377) feet to a stake; thence south along the half section line five hundred eighty-seven (587) feet and to a point three hundred seventy-three (373) feet north of the said center of section ten (10); thence south fifty-seven and one-half ($57\frac{1}{2}^{\circ}$) degrees east ninety-four (94) feet; thence south eighty-six (86°) degrees east eight hundred nineteen (819) feet; thence south fifteen (15°) degrees east two hundred sixty-four (264) feet to a stake; thence west forty-one (41) feet; thence south fifteen (15°) degrees east two thousand and sixty-five (2065) feet to the Selma road; thence along said road south seventy-five (75°) degrees west five hundred seven (507) feet; thence south fifty-four (54°) degrees west one hundred forty-two (142) feet along the said road; thence and continue with said Selma road south forty-four (44°) degrees west five hundred forty-three (543) feet to the intersection of the right of way of the Mobile & Ohio Railroad; thence along and with the curvature of said railroad right of way north seventy-two (72°) degrees west two hundred seventy (270) feet; thence and continue with said railroad right of way north sixty-five feet and one-half ($65\frac{1}{2}^{\circ}$) degrees west two hundred forty-five (245) feet to the half section line dividing section ten (10); thence north along said half section line twenty-four hundred twenty (2420) feet to the center of section ten (10), township sixteen (16), range seventeen (17), the said point of beginning;

be and the same are hereby vacated and annulled and that all the streets, roads, avenues and alleys through said property be and the same are hereby relinquished and abandoned.

Section 2. That all laws and parts of laws in conflict with this act are hereby expressly repealed;"

has been published without cost to the State in the county where the matter or thing to be affected by the proposed law mentioned in said notice is situated; that said notice was published at least once a week for four consecutive weeks in said newspaper, in the county of Montgomery, in the State of Alabama, in the months of August and September of this year, 1919, prior to the making of this affidavit, and the introduction of the proposed bill in the Legislature of Alabama, and this affidavit is made for the purpose of showing that said notice has been given.

Brame Hood.

Subscribed and sworn to before me, this the 10th day of September, A. D., 1919.

John B. DeMotte,

Notary Public, in and for the County of Montgomery,
in the State of Alabama.

Also:

S. 708. To provide for the election of all members of boards of revenue or courts of county commissioners by the qualified voters of the whole county in all counties in this State having a population of more than eighty-two thousand people and less than two hundred thousand people, according to the last Federal census, or according to any such census hereafter to be taken. Also to provide that the members of such boards or courts shall be resident citizens and qualified voters of the districts which they represent and to repeal all laws in conflict with the provisions of this act.

Privileges and Elections.

REPORTS OF COMMITTEES.

Mr. Acker, chairman of the Standing Committee on Judiciary, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Parker:

H. 365. To ratify, confirm and legalize an election held in Coosa county, Alabama, on the 7th day of November, 1916, to determine the question whether or not the work of tick eradication shall be taken up in Coosa county under the State live stock sanitary board as provided by law, and to ratify, confirm and legalize the notice or proclamation issued by the live stock sanitary board of Alabama declaring in effect the regulations adopted by the live stock sanitary board of Alabama, in the county of Coosa, and to declare in full effect all the regulations adopted by the live stock sanitary board of Alabama, in said county of Coosa, in the State of Alabama, together with the laws of the State pertaining to the same.

By Mr. Long of Sumter :

H. 848. To detach the counties of Greene, Pickens and Sumter from the sixth judicial circuit, and attach said counties to the Marengo circuit, and fix the time for holding court in said counties, and to designate said circuit the eighteenth judicial circuit.

By Mr. Allen :

H. 832. To authorize and direct the sheriff of Marengo county to employ a janitor to keep the courthouse and grounds of said county in a cleanly and sanitary condition ; and to authorize and direct the county depository of county funds, or other authority disbursing the funds of said county to pay the monthly salary of said janitor on warrants issued therefor by the probate judge of said county.

By Mr. West :

S. 437. To establish an inferior court in all cities in Alabama which now have or may hereafter have a population of 100,000 or more inhabitants according to the last or any future Federal census, in lieu of inferior courts now having three or more divisions, which said inferior courts having been created in lieu of justices of the peace in such cities or precincts, or subdivisions of such cities, to define the jurisdiction of said courts, provide places for holding same, terms, salaries of judges, officers and clerks, the manner of election of such judges, clerks, the payment of salaries, and to repeal any and all laws, special, general or local in conflict therewith.

By Mr. Evins :

S. 578. To further define criminal conspiracy in this State.

By Mr. Evins :

S. 579. To further regulate public service in this State.

H. 664. To provide for the printing and publication of the reports of the Supreme Court and Court of Appeals of Alabama, and for the distribution or sale of same.

Mr. Butler, chairman of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit :

By Mr. Morris :

S. 684. To amend section 3 of "An act to impose a license or privilege tax of one dollars a year on each dog in the State of Alabama, over four months of age, and to provide for the collection of such tax and to provide that all livestock killed by any dog and all damages done thereto shall be paid for out of the

dog tax fund, and to provide for the distribution of the surplus left in the dog tax fund on the first day of March of each year," approved September 18th, 1915.

By Mr. Espy:

S. 680. To provide for holding district and county fairs for boys' agricultural and girls' home demonstration clubs; to prescribe the manner in which they shall be held; to create boards of directors for district and county fairs for boys' agricultural and girls' home demonstration clubs in each county; to create fair districts for boys' agricultural and girls' home demonstration clubs in each county; to create fair district committees for boys' agricultural and girls' home demonstration clubs in each county; to provide for holding meetings of instruction for members of the boys' agricultural and girls' home demonstration clubs; to make appropriations for such fairs and to prescribe methods for drawing and spending same.

Mr. Sims, chairman of the Standing Committee on Banking and Insurance, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Dansby:

H. 426. To amend sections 1 and 2 and 5 of an act entitled, "An act to amend the title and sections 1, 3, 4, 5, 6, 9, 14, 15, 20, 21, 23, 25, 26, 30, 33, 34, 39, 41, 45, and 46, and to repeal sections 31 and 32 of: An act entitled "An act to create a banking department of the State of Alabama, and through this department to regulate, examine and supervise banks and banking, and to punish certain prohibited acts relating thereto," approved March 2nd, 1911," approved February 15, 1915.

Mr. Phillips, chairman of the Standing Committee on Privileges and Elections, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Smith of Lawrence:

S. 673. To direct the manner in which this State shall appoint the number of electors of or for president and vice-president of the United States, to which it may be entitled under the Constitution of the United States, and to prevent the denial or abridgment on account of sex, of the right to vote for such electors of citizens of the United States, or of the State of Alabama, or other persons who may, by the Constitution and laws of Ala-

bama, be authorized to vote for electors of or for president and vice-president of the United States.

Mr. Kelly, chairman of the Standing Committee on Public Roads and Highways, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. West (with substitute):

S. 505. To compel all railroad companies and all electric railway companies or other companies or persons operating railroads in the State of Alabama to put and keep the approaches and crossings of public road crossings of such company railroad tracks in proper repair.

Mr. Brown, chairman of the Standing Committee on Municipalities and Municipal Organizations, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. West:

S. 477. To amend an act approved September 25th, 1915, to provide a mode whereby cities in the State of Alabama which shall have heretofore adopted or may hereafter adopt a commission form of government as authorized by law, may after an election upon such question, abandon such commission form of government and return to the aldermanic form of government as the same existed therein at the time of adoption of commission form of government.

By Mr. Jones of Montgomery:

H. 835. To authorize the commissioners or other governing authorities in all cities of the State of Alabama which have a population of as many as twenty-five thousand and less than fifty thousand people, according to the last Federal census, or which shall hereafter have such population according to any Federal census that may be taken hereafter, to make contributions or expenditures to civic or commercial organizations located in such cities where such expenditure or contribution is for the purpose of advancing the best interests of such cities.

By Mr. Dickson:

H. 646. To close, vacate and annul the alley which runs from Winkler avenue eastward through block F, according to the map and survey of the South Highlands Land Company, recorded in the office of the judge of probate of Jefferson county, in map book seven, at page three.

By Mr. Hawkins:

H. 827. To vacate the dedication of all streets, avenues, and alleys, public highways and public passage ways, into, through, over, on, or across the following described property situated in the city of Birmingham, and State of Alabama: Beginning at the southeast (SE) corner of Thirty-second (32nd) street and First (1st) avenue, north; thence running southwardly along said street four hundred and fifteen (415) feet to the common railroad right of way, that is, a line running parallel with and eighty-five (85) feet northward of the center of the Alabama Great Southern Railroad; thence eastward along said right of way about thirty-four hundred (3,400) feet to the limits of the property formerly belonging to the Elyton Land Company, that is, the east side of section thirty (30), township seventeen (17) range two (2) west; thence north along the said section line about three hundred feet more or less to a point one hundred and eighty-eight (188) feet south of the center of the east side of said section thirty (30); thence west three hundred and eighty (380) feet to the south side of said First (1st) avenue; thence westward along the said avenue about thirty-two hundred and fifteen (3,215) feet to the point of beginning; and also a right of way which lies east of Thirty-second (32nd) street, and which is more particularly described as follows, to-wit, a strip of land twenty-five hundred and ten (2,510) feet in length and eleven (11) feet in width, off of what here heretofore been known and designated as the common railroad right of way, said strip of land lying immediately along side and south of the Mary Pratt property, hereinabove described, and off of the north side of said common railroad right of way hereinabove mentioned, and more particularly described as follows: Beginning at the southwest (SW) corner of the Mary Pratt property hereinabove described at a point on Thirty-second (32nd) street four hundred and fifteen (415) feet in a southerly direction from the junction of First (1st) avenue and Thirty-second (32nd) street; thence running in an easterly direction twenty-five hundred and ten (2,510) feet; thence at a right angle in a southerly direction eleven feet; thence in a westerly direction twenty-five hundred and ten (2,510) feet; thence in a northerly direction eleven (11) feet to the point of beginning.

By Mr. Ingram:

H. 693. To abolish the town of Hollins, a municipal corporation, in Clay county, Alabama, and to dissolve the incorporation thereof, and to provide for the disposition of the records of said town.

By Mr. Craft:

S. 626. To provide a method by which municipalities may assume the management, supervision and control of any street or part of street, which is or may hereafter be, under the management, supervision or control of courts of county commissioners or boards of revenue and road commissioners.

Mr. Acker, chairman of the Standing Committee on Judiciary, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate without recommendation, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Lynne:

H. 844. To define trusts, and to provide for criminal penalties and punishment of corporations, firms and persons, and to promote free competition in commerce and all classes of business, both intrastate business and interstate business engaged in and carried on by or through any corporation, firm or person.

By Mr. Shaw:

H. 634. To prevent frauds and impositions upon the people of the State and to protect investors.

Mr. Prestwood, chairman of the Standing Committee on Constitution and Constitutional Revisions and Amendments, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate without recommendation, and it was read a second time and placed on the calendar, to-wit:

By Mr. Brindley:

H. 414. To amend section 6 of an act entitled, "An act to provide for elections to authorize any county in the State to levy and collect a special county tax for public school purposes not to exceed thirty (30) cents on each one hundred dollars (\$100) worth of taxable property in such county; to authorize any school district, in any county that may be levying special county taxes for school purposes of not less than thirty (30) cents on each one hundred dollars (\$100) worth of taxable property in such county, to levy a special district tax for school purposes not to exceed thirty (30) cents on each hundred dollars (\$100) worth of taxable property in such school district; and to authorize boards of education to issue interest-bearing warrants to erect, repair, and equip school buildings and to otherwise improve school facilities," approved February 13th, 1919.

Mr. Brown, chairman of the Standing Committee on Municipalities and Municipal Organizations, reported that said commit-

tee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. McDowell:

S. 682. To provide that when any city or town in this State has heretofore acquired, or may hereafter acquire, by purchase, assignment or otherwise, any mortgage on real estate, that such city or town shall have a lien on such real estate for the amount expended or advanced by it, with interest thereon, and may enforce such lien by appropriate proceedings in the equity side of the circuit court.

By Mr. McDowell:

S. 683. To authorize and empower cities and towns to license and regulate private employment agencies, and to revoke the license of such private employment agencies for violation of such regulations.

By Mr. McDowell:

S. 681. To authorize and empower cities and towns of the State of Alabama to contract with the United States of America, the State of Alabama, and any county of the State of Alabama, for the construction or improvement, or the reconstruction or reimprovement of streets, avenues and highways when such streets, avenues or highways are established, constructed, reconstructed, improved or reimproved by the United States government, the State of Alabama, or any county of the State of Alabama, and to agree upon the proportionate share of the cost of such assessment to be paid by any municipality; and to provide for the assessment of the same against the property benefited; and to authorize the issuance of bonds for such public improvements; and to provide that such proceedings shall be governed by the general laws of Alabama relating to assessments for public improvements, except as herein provided.

Mr. Acker, chairman of the Standing Committee on Judiciary, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Acker:

S. 569. To create the Alabama railroad and public utilities commission, with the powers and jurisdiction of the Alabama public service commission, and with additional powers and jurisdiction to supervise and regulate in the public interest: (a) the rates, fares and charges; (b) facilities, practice rules and service; (c) franchises, licenses and contracts; (d) the financing

and securities; and (e) the construction of new common carriers and agencies and utilities affected with a public interest or rendering public service of any kind.

Mr. West, chairman of the Standing Committee on Local Legislation, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. West:

S. 694. To provide for the construction of a fire-proof building for the safekeeping of all county records in all counties of the State having more than 150,000 population according to the last or any succeeding Federal census and to provide for the keeping of records therein.

Mr. West, chairman of the Standing Committee on Local Legislation, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with an adverse report, and it was read a second time and placed on the adverse calendar, to-wit:

By Mr. Stoddard:

H. 864. To create the office of county treasurer for Crenshaw county, Alabama; to provide for his election and the filling of vacancies; to provide for his appointment by the governor; to prescribe his duties and fix compensation; to fix the date that this act shall become operative and to repeal conflicting laws.

Mr. Acker, chairman of the Standing Committee on Judiciary, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with an adverse report, and it was read a second time and placed on the adverse calendar, to-wit:

By Mr. Lynne:

H. 565. To regulate the review by the Supreme Court of Alabama of the judgment and decision of the Court of Appeals of Alabama in causes reviewed by said Supreme Court on petition for writs of certiorari as authorized by the Constitution of the State of Alabama.

REPORT FROM COMMITTEE ON ENGROSSED BILLS.

Mr. President:

Your Standing Committee on Engrossed Bills, beg leave to report, that said committee, in session, have examined and compared the following engrossed bills, with the originals, and find same correctly engrossed, to-wit:

S. 289. To provide how any fraternal benefit society or societies organized or doing business under the laws of this State, may consolidate, merge or reinsure its or their insurance risks, with any other fraternal benefit society or societies; and to provide how any such society or societies may assume, insure or reinsure the risks of any other fraternal benefit society or societies; and to provide penalties for the violation of the provisions hereof.

S. 589. To establish inferior courts in lieu of all justices of the peace and notaries public with power of justices of the peace in precincts lying within or partly within the county seats of all counties in the State of Alabama having a population of not less than twenty-six thousand eight hundred and not exceeding twenty-six thousand nine hundred according to the Federal census of 1910; provided said county seats have a population of fifteen hundred or more according to Federal census of 1910; to define jurisdiction and powers of said courts and judges and officers thereof and to provide for a place of holding said courts, terms and salaries of the judges and officers of said courts, and the manner of their appointment or election and the payment of their salaries.

R. B. Evins,
Chairman.

BILL RETURNED AND RE-REFERRED.

Mr. Smith of Lawrence, chairman of the Standing Committee on Printing, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report and with a request that said bill be re-referred to the Standing Committee on Judiciary, to-wit:

H. 664. To provide for the printing and publication of the reports of the Supreme Court and Court of Appeals of Alabama, and for the distribution or sale of same.

Pursuant to such request, said bill was read a second time and re-referred by the President of the Senate to the Standing Committee on Judiciary.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has concurred in and adopted:

S. J. R. 111. Relative to the memorializing Congress to amend the national highway bill.

And returns same herewith to the Senate.

Fred H. Gormley,
Clerk of the House of Representatives.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has passed the following Senate bill:

S. 382. To regulate and provide for the military forces of the State of Alabama, and to promote its efficiency; to prescribe rules, regulations and means for its organization, armament, equipment, discipline, control and supervisions; to provide for its maintenance, support and upkeep; to provide means for the enforcement of this act; and to fix penalties and punishments for the violation of this act.

And returns same herewith to the Senate.

Fred H. Gormley,
Clerk.

MESSAGE FROM THE HOUSE.

Mr. President:

The Speaker having signed the following bill, your signature thereto is requested:

H. 383. To provide for the general revenue of the State of Alabama.

SIGNING OF BILL.

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after the title had been publicly read at length by the Secretary of the Senate, signed the following bill:

H. 383. To provide for the general revenue of the State of Alabama.

RESOLUTIONS.

Mr. Carmichael offered the following resolution:

S. R. 138. Resolved by the Senate, That S. 470 be made a special, paramount and continuing order for today at 3 o'clock P. M.

Which was read at length and referred to the Committee on Rules.

Mr. Gunter offered the following Senate joint resolution:

S. J. R. 137. Resolved by the Senate, the House concurring, That the governor be requested to return to the Senate, Senate bill 412.

Which was, under a suspension of the rules, adopted, and ordered sent forthwith to the House without engrossment.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has originated and passed the following bill:

H. 408. To amend section 1067 of the Political Code of Alabama.

And sends same herewith to the Senate.

Fred H. Gormley,
Clerk.

HOUSE MESSAGE.

The House bill in the foregoing House message was read once and referred to appropriate standing committee, as follows:

H. 408. To the Committee on Municipalities and Municipal Organizations.

MOTION TO RECONSIDER LOST.

Mr. Bedsole moved that the vote by which the bill:

S. 385. To provide that it shall be unlawful to require nurses who are in training to work more than eight hours a day, and to provide a penalty for a violation of this act.

Was lost on the last legislative day be reconsidered, which motion was lost and the Senate refused to reconsider said vote.

BILL ON THIRD READING.

The bill:

S. 566. To establish a school at Eufaula, Alabama, to be known as the Southeast Alabama Industrial School, to provide for its management and to make an appropriation therefor.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 23; nays, 1.

Yeas:

Messrs:

Bedsole	Espy	Leith	Sims
Brown	Evins	Miller	Smith (Coosa)
Butler	Gunter	McDowell	Smith (Lawrence)
Caffey	Harper	Phillips	Tally
Carlton	Huddleston	Rogers (Lauderdale)	West
Carmichael	Kelly	Rogers (Sumter)	

Nays:

Mr. Prestwood—1.

Mr. Gunter gave to the Senate the following notice in writing:

"Notice is hereby given that on the forty-fifth legislative day, I will move to take from the adverse calendar, have the same read a second time and placed on the regular calendar, the bill:

S. 652. To change the boundary line between Montgomery and Crenshaw counties so as to take into Montgomery county the following land, now situated in Crenshaw county, Alabama, to-wit: The northwest quarter (N. W. $\frac{1}{4}$) and the west half (W. $\frac{1}{2}$) of the northeast quarter (N. E. $\frac{1}{4}$), section five (5); also the northeast quarter (N. E. $\frac{1}{4}$) and the east half (E. $\frac{1}{2}$) of the northwest quarter (N. W. $\frac{1}{4}$), section six (6), township eleven (11), range eighteen (18).

W. A. Gunter, Jr."

Mr. Morris gave to the Senate the following notice in writing:

"Notice is hereby given that on the next legislative day I will move to take from the adverse calendar, have the same read a second time and placed on the regular calendar for a third reading, the following Senate bills:

S. 251. To amend section 1759 of the Code of Alabama 1907 (relates to school year, school month, and school day).

Also:

S. 481. To provide for the consolidation of schools in counties of this State having not less than 21,600 nor more than 22,000 population according to the Federal census of 1910.

Also:

S. 576. To prescribe the fees for recording deeds, mortgages and all other papers and documents now required by law to be recorded in the office of probate judges in this State.

W. W. Morris."

MESSAGE FROM THE HOUSE.

Mr. President:

The House has concurred in and adopted the:

S. J. R. 137. Relative to the recalling of S. 412 from the governor.

And returns same herewith to the Senate.

Fred H. Gormley,
Clerk.

RECESS.

On motion of Mr. Leith, the Senate at 1 P. M., took a recess until 2:30 o'clock this afternoon.

AFTERNOON SESSION—FORTY-FOURTH DAY.

Wednesday, September 10, 1919.

The Senate reassembled at 2:30 o'clock P. M., Lieutenant Governor Miller presiding.

ROLL CALL.

On a call of the roll 35 members answered to their names, a quorum of the Senate, as required by the Constitution.

INTRODUCTION OF BILLS.

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Kelly:

S. 709. To provide a fund out of which the salaries of the judges of the county court shall be paid, and to fix the amount of such salaries in counties having a population of more than eighteen thousand and less than eighteen thousand three hundred, according to the Federal census of 1910, or any subsequent Federal census.

Finance and Taxation.

Also:

S. 710. To amend subdivision 84 of section 361 of an act to provide for the general revenue of the State of Alabama, approved September 10th, 1919.

Finance and Taxation.

By Mr. Butler:

S. 711. To amend sections 23, 24, 28, 29 and 33 of an act entitled, "An act providing for the registration, licensing, identification and regulation of motor vehicles operated upon the public highways of this State; and fixing liability for persons riding therein, and providing penalties and punishments for violations of the provisions of said act, approved April 22nd, 1911.

Finance and Taxation.

By Mr. Carmichael:

S. 712. To make appropriations to the Alabama Girls' Technical Institute.

Finance and Taxation.

Also:

S. 713. To make appropriations to the University of Alabama.

Finance and Taxation.

Also:

S. 714. To appropriate the sum of \$7,500.00 to supplement a fund of \$15,000.00 to be raised by the citizens of Blountsville to rebuild the Ninth District Agricultural School building, recently destroyed by fire.

Finance and Taxation.

Also:

S. 715. To make appropriation for the maintenance and support of the State Training School for Girls, and for the erection and equipment of buildings and furniture and equipment therefor.

Finance and Taxation.

Also:

S. 716. To provide for making appropriations to the Alabama Polytechnic Institute.

Finance and Taxation.

Also:

S. 717. To make appropriations to the Alabama Boys Industrial School.

Finance and Taxation.

Also:

S. 718. To amend section 1952 of the Code of Alabama of 1907.

Finance and Taxation.

Also:

S. 719. To amend section 1946 of the Code of Alabama of 1907.

Finance and Taxation.

Also:

S. 720. To make an appropriation for the maintenance and supervision of county high schools.

Finance and Taxation.

Also:

S. 721. To provide for appropriation to the Alabama School of Trades and Industries at Ragland.

Finance and Taxation.

Also:

S. 722. To make an appropriation to the Alabama illiteracy commission or to the State board of education, if created, for the removal of illiteracy in Alabama.

Finance and Taxation.

Also:

S. 723. To make an appropriation for the benefit of those counties that may be levying and collecting a special county school tax during any fiscal year, and to provide for the expendi-

ture of the funds set apart for any county by the county board of education.

Finance and Taxation.

Also:

S. 724. To make an appropriation for the establishment of libraries in the rural, village and town schools of Alabama.

Finance and Taxation.

Also:

S. 725. To amend section of an act "To provide for the acceptance of the benefits of an act by the Senate and House of Representatives of the United States of America in Congress assembled, to provide for the promotion of vocational education; to provide for the appointment of a State board of vocational education; and to provide for the duties thereof; and to make appropriations for vocational education," approved February 15, 1919.

Finance and Taxation.

Also:

S. 726. To amend an act entitled an act "To create and establish a reform school for the training of juvenile negro law-breakers at Mt. Meigs, Alabama; to make appropriations for the purpose, and accept by donation all such lands and buildings as are needful therefor; to create a board of trustees, and to provide for the suitable management of said institution."

Finance and Taxation.

Also:

S. 727. To provide for changing the name and for making an appropriation to the Huntsville State Normal and Industrial School, to be known as the Agricultural and Mechanical College for Negroes.

Finance and Taxation.

Also:

S. 728. To change the name of the Northeast Alabama Agricultural and Industrial Institute at Lineville and to make an appropriation for its maintenance and support.

Finance and Taxation.

Also:

S. 729. To change the name of each of the nine branch district agricultural schools and experiment stations and to make appropriations for their maintenance and support.

Finance and Taxation.

Also:

S. 730. To amend sections 1941 and 1942 of the Code of Alabama of 1907.

Finance and Taxation.

Also:

S. 731. To make an appropriation to the State board of education.

Finance and Taxation.

Also:

S. 732. To make an appropriation for the erection, repair, and equipment of rural school houses.

Finance and Taxation.

Also:

S. 733. To amend section 1780 of the Code of Alabama of 1907.

Finance and Taxation.

Also:

S. 734. To make appropriations to the State department of education.

Finance and Taxation.

Also:

S. 735. To make an appropriation to Tuskegee Normal and Industrial Institute.

Finance and Taxation.

Also:

S. 736. To make an appropriation for the State normal school for colored teachers located at Montgomery.

Finance and Taxation.

Also:

S. 737. To make appropriations to the State normal schools for white teachers located at Florence, Jacksonville, Livingston, Troy, Daphne, and Moundville.

Finance and Taxation.

Also:

S. 738. To make an appropriation to the public schools.

Finance and Taxation.

By Mr. Acker:

S. 739. To amend section 692 of the Code of Alabama.

Finance and Taxation.

By Mr. Acker:

S. 740. To amend an act to provide a stenographer for the Supreme Court reporter, to fix the salary of same and to make appropriations to pay such salary, approved April 24th, 1911 (Acts 1911, p. 723).

Finance and Taxation.

Also:

S. 741. To amend section 5982, Code 1907.

Finance and Taxation.

Also:

S. 742. To amend section 5993, Code 1907, as amended by an act approved November 23rd, 1907.

Finance and Taxation.

Also:

S. 743. To amend section 52 of the Code of Alabama of 1907.

Finance and Taxation.

Also:

S. 744. To amend section 79 of the Code of Alabama.

Finance and Taxation.

Also:

S. 745. To amend section 5992, Code 1907.

Finance and Taxation.

Also:

S. 746. To amend an act to better secure the administration of the financial affairs of the State in respect to expenditures and appropriations; and for that purpose to establish a State budget commission, and prescribe rules and regulations governing the same, approved February 11, 1919, by adding thereto a provision for the payment by the State for the services of the members of the State budget commission.

Finance and Taxation.

Also:

S. 747. To provide for the creation, equipment and maintenance of a poultry division as a part of the animal husbandry department of the Alabama Polytechnic Institute and Experiment Station, for the purpose of conducting experiments and demonstrations to determine the best breeds, methods of housing, feeding and marketing of poultry; for giving the students in agriculture adequate and necessary instructions in poultry husbandry; to make appropriations for these purposes and to prescribe the method of drawing and spending same.

Finance and Taxation.

Also:

S. 748. To make appropriations for the ordinary expenses for the executive, legislative and judicial departments of the State for the interest on the public debt and for the public schools.

Finance and Taxation.

Also:

S. 749. To provide for the purchase or condemnation of a site and the erection of a building thereon for a Pasteur Institute and laboratory and the purchase of necessary or proper equipment therefor and to make appropriation for such purposes.

Finance and Taxation.

Also:

S. 750. To fix the compensation of the several State executive officers, officers of departments and boards, subordinate officers, clerks, watchmen and capitol servants.

Finance and Taxation.

By Mr. Griffith:

S. 751. To authorize the secretary of State to purchase six hundred and fifty copies of Acuff's supplement to Code of Alabama (1907), for distribution as provided by this act.

Finance and Taxation.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has concurred in and adopted the amendment proposed by the governor to the bill:

H. 381. To authorize the court of county commissioners of DeKalb county, Alabama, to levy a special tax of three-twentieths of one percent on all taxable property in DeKalb county for the purpose of repairing and maintaining the public roads of said county.

Said governor's amendment being as follows:

Gentlemen of the House of Representatives:

I herewith return, without my approval, House bill 381, levying a special tax of three-twentieths of one percent on the taxable property for the purpose of maintaining the public roads.

In order to prevent conflict with section 215 of the Constitution limiting county taxation, I shall approve the bill if amended by adding at the end thereof the following proviso, namely:

"Provided, that the special tax hereinabove authorized shall not exceed the limitation prescribed by section 215 of the Constitution."

Respectfully,

Thos. E. Kilby,
Governor.

September 5, 1919.

By a vote Yeas, 60; nays, 0, which was majority of the whole number elected to the House of Representatives, and sends same herewith to the Senate.

Fred H. Gormley,
Clerk of the House of Representatives.

HOUSE AND GOVERNOR'S MESSAGE.

On motion of Mr. Brown, the Senate concurred in and adopted the amendment proposed by his excellency, the governor, to House bill No. 381, the title of which is set out in the foregoing message from the House and said proposed amendment being set out in the foregoing message from the governor.

Yeas, 28; nays, 0.

Yeas:

Messrs:

Acker	Carlton	Gunter	Nance
Beale	Cowan	Harper	Phillips
Bedsole	Craft	Kelly	Prestwood
Briscoe	Ellis	Leith	Sims
Brown	Espy	Miller	Smith (Coosa)
Butler	Evins	Morris	Tally
Caffey	Griffith	McDowell	West

—28

Nays:—None.

Which was a majority of the whole number elected to the Senate.

REPORT FROM COMMITTEE ON REVISION OF THE JOURNAL.

Mr. Griffith, chairman of the Committee on Revision of the Journal, reported that said committee, in session, had examined the Journals of the Senate for the thirty-ninth, fortieth and forty-first legislative days of this session, and find same contain the proper entries in reference to each bill and resolution contained therein, as required by the Constitution.

A. A. Griffith,
Chairman.

COMMITTEE REPORT.

On motion of Mr. Griffith, the foregoing report from the Committee on Revision of the Journal was adopted and the Journals of the thirty-ninth, fortieth and forty-first legislative days of the session were approved by the Senate.

REPORT FROM RULES COMMITTEE.

Mr. Acker, chairman of the Standing Committee on Rules, reported that said committee, in session, had acted on the following resolution and ordered same returned to the Senate with a favorable report, to-wit:

S. R. 138. Resolved by the Senate, That S. 470 be made a special, paramount, continuing order for today at 3 o'clock P. M.

And on motion of Mr. Acker said report was concurred in and said resolution, under a suspension of the rules, was adopted by the Senate, and said bill, S. 470, made a special, paramount, continuing order for 3 o'clock today.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has passed the following Senate bill:

S. 216. To promote the sale of farm loan bonds issued by the Federal land banks organized under the provisions of the farm loan act.

And returns same herewith to the Senate.

Fred H. Gormley,
Clerk.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has concurred in and adopted the amendment proposed by the governor to the bill:

H. 743. To vacate, close and annul as a public highway or street that portion of 25th street which lies between the north-west side of 7th alley and the southeast side of 8th avenue.

Said governor's message and proposed amendment to the bill being as follows:

In re. House bill No. 743.

Gentlemen of the House of Representatives:

I am returning herewith House bill No. 743 without my approval. The body of the act discloses that the purpose of the bill is to vacate a part of 25th street in the city of Bessemer, Alabama, but the title omits to definitely locate the street in Bessemer or otherwise. I suggest, therefore, the following amendment to the bill which when made will meet with my approval, namely: Amend House bill No. 743 by adding at the end of the caption thereof the following words: "in the city of Bessemer, Alabama."

Respectfully,
Thos. E. Kilby,
Governor.

September 10, 1919.

By a vote of Yeas, 60; nays, 0, which was a majority of the whole number elected to the House of Representatives.

And sends same herewith to the Senate.

Fred H. Gormley,
Clerk.

HOUSE AND GOVERNOR'S MESSAGE.

On motion of Mr. West, the Senate concurred in and adopted the amendment proposed by his excellency, the governor, to House bill No. 743, the title of which is set out in the foregoing message from the House, and said proposed amendment being set out in the foregoing message from his excellency, the governor.

Yeas, 28; nays, 0.

*Yeas:**Messrs:*

Acker	Carmichael	Huddleston	Prestwood
Baker	Cowan	Kelly	Rogers (Lauderdale)
Bedsole	Craft	Leith	Sims
Brown	Ellis	Miller	Smith (Coosa)
Butler	Evins	Moore	Smith (Lawrence)
Caffey	Gunter	Nance	Tally
Carlton	Harper	Phillips	West

—28

Nays:—None.

Which was a majority of the whole number elected to the Senate.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has concurred in and adopted the amendment proposed by the governor to the bill:

H. 701. To amend section 1 of an act to designate certain public roads of the State of Alabama as State trunk roads and to provide the manner in which such roads shall be located, improved and maintained, approved August 10th, 1915.

Said governor's message and proposed amendment to the bill being as follows:

In re. House bill 701.

Gentlemen of the House of Representatives:

I herewith return, without my approval, House bill No. 701, relative to the designation of a certain public road as a State trunk road including trunk road No. 5 in South Guntersville, etc.

The act is self-contradictory in this that in the caption the act which is to be amended is designated to be an act approved August 10, 1915, whereas in the body of the act (section 1) the said act proposed to be amended is designated as an act approved September 10, 1915. By reference to the Acts of 1915, page 365-368, it is ascertained that the act intended to be amended is an act approved September 10, 1915. I, therefore, suggest that the caption of the act be amended by striking out the word "August" where it appears therein and inserting in lieu thereof the word "September."

Respectfully,
Thos. E. Kilby,
Governor.

September 6, 1919.

By a vote of Yeas, 66; nays, 0, which was a majority of the whole number elected to the House of Representatives.

And sends same herewith to the Senate.

Fred H. Gormley,
Clerk.

HOUSE AND GOVERNOR'S MESSAGE.

On motion of Mr. Rogers of Sumter, the Senate concurred in and adopted the amendment proposed by his excellency, the governor to House bill No. 701, the title of which is set out in the foregoing message from the House, and said governor's amendment being also set out in the foregoing message from his excellency, the governor.

Yeas, 30; nays, 0.

Yeas:

Messrs:

Acker	Carmichael	Huddleston	Rogers (Lauderdale)
Baker	Cowan	Kelly	Rogers (Sumter)
Beale	Craft	Leith	Sims
Bedsole	Ellis	Moore	Smith (Coosa)
Briscoe	Espy	Morris	Smith (Lawrence)
Brown	Evins	Nance	Tally
Butler	Gunter	Prestwood	West
Carlton	Harper		

—30

Nays:—None.

Being a majority of the whole number elected to the Senate.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has concurred in and adopted the amendment proposed by the governor to the bill:

H. 579. To regulate and provide for the working, building, maintenance and upkeep of the public roads and bridges in Bibb county, Alabama, and prescribe manner and means of collecting and raising revenue and funds for the working, building, maintenance and upkeep of the public roads and bridges of and in Bibb county, Alabama; To regulate the public roads and bridge affairs of Bibb county, Alabama; to provide funds, regulations and penalties to carry the provisions and purposes of this act into effect, and the manner and means of raising or collecting such funds, and to provide for the collection of a per capita road tax and for a license tax on all vehicles including vehicles propelled by animals, electricity, gasoline or other power whatsoever to be used for the maintenance, building, upkeep and repair of such roads and bridges and for the collection thereof.

Said governor's message and proposed amendment to the bill being as follows:

In re. House bill 579.

Gentlemen of the House of Representatives:

I herewith return House bill 579 without my approval, and suggest the following amendment which if adopted will meet my objection to the bill,

namely: amend section 33 by adding at the end thereof the following proviso, namely:

"Provided that if the general revenue act, or any general act, to be enacted by this Legislature shall include provisions fixing and regulating the general license or privilege taxes on vehicles of any kind however propelled or driven for the use of the State and the counties of the State, and providing that the proceeds of such privilege or license taxes shall be apportioned between the State and the counties of the State, such provisions and such apportionment of such license or privilege taxes under any such general law shall take precedence of and shall be in lieu of the privilege or license taxes authorized to be levied and collected under this act to the extent covered by such general act, and provided further that all provisions of this act fixing or levying any such privilege or license taxes in conflict or inconsistent with the provisions of any such general law shall be void and of no operation and effect."

Respectfully,
Thos. E. Kilby,
Governor.

September 10, 1919.

By a vote of Yeas, 66; nays, 0, which was a majority of the whole number elected to the House of Representatives.

And sends same herewith to the Senate.

Fred H. Gormley,
Clerk.

HOUSE AND GOVERNOR'S MESSAGE.

On motion of Mr. Moore, the Senate concurred in and adopted the amendment proposed by his excellency, the governor to House bill No. 579, the title of which is set out in the foregoing message from the House, and said proposed amendment being also set out in the foregoing message from the governor.

Yeas, 29; nay, 1.

Yeas:

Messrs:

Acker	Cowan	Harper	Prestwood
Baker	Craft	Kelly	Rogers (Lauderdale)
Beale	Ellis	Leith	Rogers (Sumter)
Bedsole	Espy	Moore	Sims
Briscoe	Evins	Morris	Smith (Coosa)
Brown	Griffith	Nance	Smith (Lawrence)
Butler	Gunter	Phillips	West
Carmichael			

—29

Nays:

Mr. Huddleston—1.

Which was a majority of the while number elected to the Senate.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has amended as therein shown and as amended has passed:

S. 454. To amend section 1 of an act entitled, "An act to designate certain public roads of the State of Alabama as State trunk roads and to provide the manner in which such roads shall be located, improved and maintained, approved September 10, 1915."

Fred H. Gormley,
Clerk.

HOUSE MESSAGE.

On motion of Mr. Kelly, the Senate concurred in the following amendment by the House to Senate bill No. 454, the title of which is set out in the foregoing message from the House, to-wit:

AMENDMENTS TO S. 454.

Amend Senate bill No. 454 by striking out the words, "Road No. 1," and which precede the words "Road No. 2," and insert in lieu thereof the following:

"That certain road described as beginning at the point where the Athens and Fayetteville road crosses the Tennessee-Alabama state line, extending southward to Athens, Decatur, Hartselle, Falkville, Cullman, Blounts Springs, Birmingham, Calera, Clanton, Montgomery, Lowndesboro, Selma, Gastonburg, Catherine, Pine Hill, Thomasville, Jackson, Mobile, thence to Citronelle and on to the Washington county line, connecting with the Mobile and Meridian highway; and from Mobile to Semmes, Wilmer and thence to the Mississippi state line; and from Mobile to Grand Bay, thence to Coden, and Alabama Port."

Road number 25. That certain road beginning at the intersection of the Forest Home and Greenville road with road number 11 and extending westward to Avin, Pineapple, Pineapple Station, Oak Hill, Camden, Prarie, Catherine, to intersection with road number 1, provided that the State highway commission can within its discretion designate road number 25 as it originally is named in Acts 1915, or adopted the road as described in this amendment.

Amend S. 454, by adding thereto the following: That certain road beginning at Pine Hill and extending easterly by Holey's Ferry to Camden and from Camden to Kimbrough by Clifton Ferry.

Amend Senate bill number 454 by adding thereto the following: Road number 11: That certain road described as beginning at Montgomery extending southward out what is known as Mobile road to Fort Deposit, Greenville, Awins, Burnt Corn, Bay Minette to Fairhope.

Yeas, 24; nays, 0.

Yeas:

Messrs:

Acker	Carlton	Harper	Nance
Bedsole	Craft	Kelly	Prestwood
Briscoe	Ellis	Leith	Sims
Brown	Espy	Miller	Smith (Coosa)
Butler	Griffith	Morris	Tally
Caffey	Gunter	McDowell	West

Nays:—None.

—24

MESSAGE FROM THE HOUSE.

Mr. President:

The House has concurred in and adopted the Senate amendment to the bills:

H. 880. To provide for the construction, maintenance and control of the public roads and bridges of all counties in the State of Alabama having a population of not less than 27,155 and not more than 27,200 by the last or any subsequent Federal census, to further define the duties of the courts of county commissioners, or like governing bodies, of all such counties; to provide for the levy and collection of a vehicle license tax; to provide for the levy and collection of a per capita road tax in commutation of road duty; and to regulate the performance of road duty in such counties by the citizens thereof.

Also:

H. 720. Empowering the clerk of the circuit court in the county of Baldwin to take affidavits for the arrest of parties charged with crime, and to issue warrants for the arrest of such parties, returnable before the judge of the county court.

Fred H. Gormley,
Clerk.

HOUSE MESSAGE.

The House has passed the following bill:

H. 354. To repeal section 2069 of the Code of Alabama of 1907.

And ordered the same sent forthwith to the Senate without engrossment.

Fred H. Gormley,
Clerk.

HOUSE MESSAGE.

The House bill in the foregoing House message was read once and referred to appropriate standing committee, as follows:

H. 354. To the Committee on Judiciary.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has originated and passed the following House joint resolution:

By Mr. Merritt:

H. J. R. 269. Be it resolved by the House, the Senate concurring, That when the two houses adjourn today, said adjournment be had to Monday, September 15th, at 10 o'clock A. M. That the two houses meet September 15, 16, 17 and 19, respectively.

And sends same to the Senate.

Fred H. Gormley,
Clerk.

HOUSE MESSAGE.

On motion of Mr. Acker, the Senate concurred in and adopted H. J. R. 269, set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has amended as therein shown and as amended has passed:

S. 442. To create the office of State fire marshal, and to provide for the appointment of deputy fire marshal and assistant; to define their powers and duties and to fix their compensation; provide ways and means for the enforcement of this act and penalties for violation thereof; and to provide means for defraying the expenses incurred under the provisions hereof.

And returns same herewith to the Senate.

Fred H. Gormley,
Clerk.

HOUSE MESSAGE.

On motion of Mr. Briscoe, the Senate concurred in the following amendment by the House to Senate bill No. 442, the title of which is set out in the foregoing message from the House, to-wit:

Amend Senate bill No. 442 by striking out the words and figures: "Three thousand (\$3,000.00) dollars" where they appear

in section 1 of said bill, and adding the following: Two thousand five hundred dollars (\$2,500.00).

Yeas, 25; nays, 0.

Yeas:

Messrs:

Acker	Butler	Harper	Nance
Baker	Caffey	Leith	Prestwood
Beale	Carmichael	Miller	Rogers (Lauderdale)
Bedsole	Cowan	Moore	Sims
Briscoe	Craft	Morris	Smith (Coosa)
Brown	Evins	McDowell	Smith (Lawrence)
			Tally

—25

Nays;—None.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has concurred in and adopted the amendment proposed by the governor, to the bill:

H. 383. To provide for the general revenue of the State of Alabama.

Said governor's amendment being as follows:

September 10, 1919.

To the House of Representatives:

I herewith return House bill 383, without my approval, and suggest the following amendment to meet my objections:

Strike out all of section 2 and substitute in lieu thereof, the following words and figures:

Section 2. The following property and persons shall be exempt from ad valorem taxation:

(a) All bonds of the United States and of this State, and all county and municipal bonds issued by counties and municipalities in this State; all property, real and personal of the United States and of this State, and of county and municipal corporations of this State; all cemeteries; all property, real or personal, used exclusively for religious worship, for schools or for purposes purely charitable; provided, however, that property, real or personal, owned by any educational, religious or charitable institution, society or corporation, let for rent or for hire or use for business purposes, shall not be exempt from taxation, notwithstanding the income from such property shall be used exclusively for educational, religious or charitable purposes; all mortgages, together with the notes, debts and credits secured thereby on real and personal property situated in this State, which mortgages have been filed for record and the privilege tax paid thereon; all money on deposit in any bank or banking institution in this State and all solvent credits.

(a½) All warrants issued by county boards of education and city boards of education for the purpose of erecting, repairing, furnishing school buildings or for other school purposes are exempted from taxation.

(b) All the property of literary and scientific institutions and literary societies, when employed or used in the regular business of such institution.

(c) The libraries of ministers of the gospel, and all libraries other than

those of a professional character, and all religious books kept for sale by ministers of the gospel and colporteurs.

(d) All deaf mutes and insane and blind persons, and their property to the extent of one thousand dollars.

(e) From poll tax, all persons permanently disabled, whose taxable property does not exceed five hundred dollars.

(f) All family portraits.

(g) All cotton or other agricultural products which were raised or grown during the current or preceding calendar year, and which shall remain in the hands of the producer thereof, or his landlord, or in the hands of the purchaser purchasing the same for prompt shipment; provisions and supplies on hand for the current year for the use of the family and the making of the crop; all wearing apparel; farming tools to the value of twenty-five dollars; tools and implements of mechanics to the value of twenty-five dollars; and the following property to be selected by the head of each family and not to exceed in the aggregate one hundred and fifty dollars, namely: cows, calves, hogs, sheep, poultry, household and kitchen furniture, and sewing machines; provided that no property or subject of taxation mentioned in this subsection shall be exempt from taxation, nor shall any credit, abatement, or reduction be allowed therefrom unless such property or subject of taxation is entered by the taxpayer upon an assessment list and returned by him under oath to the tax assessor.

(h) That no license or taxation of any character, except franchise taxes as provided by section 229 of the Constitution of the State of Alabama, shall be collected or required to be paid to the State, or any county or municipality therein, by any State or county fair, agricultural association, stock or poultry show.

(i) All manufactured articles, including pig iron, in the hands of the producer or manufacturer thereof, and at the place of production or manufacture, shall be exempt from taxation for twelve months after its production or manufacture.

Amend said bill by changing the words "county supervisor of assessments" wherever they occur to read "county tax adjuster or the board of county tax adjusters."

Amend said bill by changing the phrase "district tax court" wherever it occurs to read "court of county commissioners or board of revenue."

Amend said bill by striking out sub-head "county supervisor of assessments," immediately preceding section 75.

Amend said bill by striking out sections 75 to 132 inclusive, and inserting in lieu thereof the following words and figures:

COUNTY TAX ADJUSTERS.

Section 75. There is hereby created in each county in the State having a population of less than two hundred thousand, the office of county tax adjuster, and in every county in this State having a population of two hundred thousand or more, a board to be known as the board of county tax adjusters, to consist of three members, the incumbents in each of such offices shall be a resident of the county in which he is to serve, and shall be appointed as hereinafter provided for a term to expire on the first day of October, 1923; after which the term of office of each shall expire on the first day of October of every fourth year thereafter, the term of office being for four years.

Section 76. The incumbent of such office and the members of such board shall be known as county tax adjusters. Within thirty days after this act goes into effect the State tax commission shall appoint the incumbent of such office, subject to the approval of the governor, whose term of

office shall expire on the first day of October, 1923, and thereafter the successors of such incumbent in like manner shall be appointed for a term of four years to end on the first day of October of each fourth year thereafter. Each incumbent shall hold, however, until his successor is appointed and commissioned, unless removed from office.

Section 77. Such county tax adjusters shall be selected with a view to their fitness for the performance of the duties of said office, and their selection shall be limited to no profession, occupation or calling, but such county tax adjusters shall not hold any other office of profit under this State, or any other state, or of the United States, or of any political division of this State, or of any other state or of the United States, during their incumbency of such office.

Section 78. Such county tax adjusters, before entering upon the duties of their office, must each execute in duplicate a bond in the sum of two thousand dollars in counties having a population of less than fifty thousand inhabitants; and in counties having a population of fifty thousand or more, the amount of such bond shall be five thousand dollars. Such bond shall be payable to the State of Alabama, with sufficient sureties, to be approved by the judge of probate of the county, and conditioned faithfully to discharge the duties of his office, which are, or may be required by law during the time he continues therein, or discharges any of the duties thereof. One of such duplicates must be filed and recorded in the office of the judge of probate of his county, and the other must be filed in the office of the State auditor, before entering upon the discharge of the duties of his office.

Section 79. Said county tax adjusters, before entering upon their duties, in addition to taking the regular oath of office now prescribed by the laws of the State of Alabama, shall each take and subscribe to the following oath:

"I do solemnly swear that I am a resident of (here give name of county), of the State of Alabama, that I will faithfully and honestly discharge the duties of county tax adjuster, and that I will fix the valuation of all property listed for taxation or submitted to me for valuation, at sixty per cent of its reasonable cash value, to the best of my judgment and ability, so help me God."

Such oath may be administered by any officer of the State authorized under the laws of the State to administer oaths, and shall be filed and recorded in the office of the State tax commission.

Section 80. That any vacancy in the office of county tax adjuster by death, resignation or removal from office shall be filled in the same manner as the original appointment and for the unexpired term only.

Section 81. That the State tax commission shall have power, with the consent of the governor, to remove such county tax adjusters from office whenever in the judgment of a majority of the members of said commission and the governor, such removal will best subserve the interests of the State of Alabama.

Section 82. That the compensation of such county tax adjusters shall be as follows:

In counties having an assessment of more than \$160,000,000, according to the last preceding assessment, four thousand four hundred dollars per annum.

In counties having an assessment of more than \$100,000,000 and not more than \$160,000,000, according to the last preceding assessment, four thousand dollars per annum.

In counties having an assessment of more than \$36,000,000 and not more than \$100,000,000, according to the last preceding assessment, three thousand, six hundred dollars per annum.

In counties having an assessment of more than \$15,000,000 and not more than \$36,000,000, according to the last preceding assessment, three thousand dollars per annum.

In counties having an assessment of more than \$11,000,000 and not more than \$15,000,000, according to the last preceding assessment, two thousand, four hundred dollars, per annum.

In counties having an assessment of more than \$8,000,000 and not more than \$11,000,000, according to the last preceding assessment, two thousand, one hundred dollars per annum.

In counties having an assessment of more than \$5,000,000 and not more than \$8,000,000, according to the last preceding assessment, one thousand, eight hundred dollars per annum.

In counties having an assessment of more than \$4,500,000 and not more than \$5,000,000, according to the last preceding assessment, one thousand, six hundred dollars per annum.

In counties having an assessment of more than \$4,500,000 or less, according to the last preceding assessment, one thousand, five hundred dollars per annum.

That said salaries shall be paid monthly, one-half by the State on the warrant of the State auditor, and one-half by the county, out of the general funds of the county, on the warrant of the court of county commissioners or other court of like jurisdiction, and the same shall be a preferred claim against the funds of said county.

Section 83. That immediately after the first Monday in October of each year, such county tax adjusters shall each begin the valuation and equalization of all taxable property in the county for which he was appointed for the assessment of taxes to be levied thereon during the current fiscal year. The valuation of all property listed for taxes shall be entered by such county tax adjuster upon the tax lists as returned by the taxpayer, or as otherwise listed for taxes. The valuation of all real property as fixed by the county tax adjusters upon the tax lists shall be entered by the tax assessor upon the land and lot books of the county, which books shall be substantially bound and suitably ruled so that the description of real estate, the name of the owner, and the valuation of the real estate and improvements, as fixed by the county tax adjuster or board of tax adjusters, or otherwise, may be shown thereon, and said book shall be so ruled that they will form a record for future reference. The form of such land and lot books shall be prescribed by the State tax commission and such commission shall, after thirty days' notice by advertisement once a week for four successive weeks in one daily newspaper published in Birmingham, one published in Montgomery, and one published in Mobile, award a contract to the lowest responsible bidder, who shall agree to furnish said books of the quality, in the form and within the time stipulated by the State tax commission, to all counties of the State. The cost of said books shall be paid by the respective counties upon the certificate of the State tax commission.

Section 84. Whenever any assessment of real property shall have been made by the county tax adjuster or board of tax adjusters, after personal inspection thereof, the value thus fixed shall be and remain the taxable value of such property for a period of two years dating from the first day of October preceding, and the county tax adjuster or board of tax adjusters shall not be required to again view, inspect, value and equalize the same during such two year period, unless a revaluation and equalization shall be made by order and direction of the State tax commission, in which event the valuation thus fixed shall be and remain the taxable value of such property until the next biennial period of assessment, or unless there shall be a change in the value of such real property, or the building, structures, or improvements thereon caused either by the destruction of or damage to said

buildings, or by the erection or construction of new buildings, structures or improvements, or by the removal of minerals from said lands, or by the removal of turpentine from the timber on said lands, or by cutting the timber therefrom, in which event the assessment shall be increased or reduced to the extent only of the increase or reduction in the value of such real property by reason of the changes above named.

Section 85. The county tax adjuster or board of tax adjusters shall visit, inspect, examine, equalize and value each piece and parcel of real property in the county, and after such inspection and examination thereof shall cause to be recorded upon the land and lot books sixty per cent of the reasonable cash value of such real property. Where the land is assessed as acreage, the valuation shall be fixed for each forty acres or fraction thereof, **and when real estate has been platted and divided into lots it shall not thereafter be assessed as acreage, but each lot shall be assessed.** The said county tax adjuster or board of tax adjusters shall also, as far as practical, view, inspect, value and equalize all taxable property, other than real estate, shown by the tax returns and enter thereon sixty per cent of the reasonable cash value thereof. Said county tax adjusters or board of tax adjusters may issue subpoenas to witnesses and may require the owner, occupant or person in possession of such property to give him any information with regard to such property, the amount of rents, income and profits therefrom, and may require the production for inspection of all fire insurance policies on the improvements, if real estate, or on personal property, for the current or preceding year.

The county tax adjuster or board of tax adjusters are hereby authorized and empowered, by and with the consent of the State tax commission, to employ such expert assistants as said county tax adjuster or board of tax adjusters may deem necessary for the proper valuation of the property of the county. Such expert assistants so employed shall receive such compensation as shall be agreed upon by the State tax commission, which compensation shall be paid out of the appropriation of the State tax commission.

Section 86. The county tax adjusters or board of tax adjusters shall each annually in his or its county fix the value of all taxable property, other than real property, as shown by the assessment lists, and such values shall be entered thereon by the county tax adjuster or board of tax adjusters. The value so fixed and returned to the tax assessor shall be the taxable value of the property so valued and equalized by them, provided that in the event the value of real and personal property of any taxpayer is increased by the county tax adjuster or board of tax adjusters over the assessed value thereof for the preceding year, the taxpayer shall be furnished by mail or in person with a statement showing separately the value of his personal property and his real property, and also that the county tax adjuster or board of tax adjusters will sit to hear objections to the valuations and to correct errors on the first Monday in June, which notice shall be given on or before the last Monday in May. But failure to give or receive such notice shall not invalidate such assessment. The expense of postage incurred by the tax assessor in carrying out the provisions of this section shall be paid in equal proportions by the county and the State, upon a certified statement thereof by the tax assessor, filed with the court of county commissioners, or other board or court of like jurisdiction and with the auditor of the State of Alabama.

Section 87. It shall be the duty of the county tax adjuster or board of tax adjusters to carefully examine and inspect all tax returns and assessments delivered to them by the county tax assessor, and if he or it finds that any taxpayer has neglected to make a return, or has omitted from his return any property that should be returned, it shall be his or its duty to

make up a return upon the proper blank, with a description of the property to be assessed, which property he or it shall then proceed to value and equalize in the same manner as other property is valued and equalized by him or it, and to the value thus placed thereon shall be added a penalty of ten per cent for the failure of the owner of such property to properly return the same.

Section 88. When the county tax adjuster or board of tax adjusters shall have completed his or its work of valuing and equalizing property subject to taxation in his or its county, and such valuation shall have been entered on the assessment lists, which shall not be later than the first Monday in May, 1920, and the first Monday in May of each year thereafter, he or the chairman of such board, shall certify over his signature to the correctness of the tax returns, showing the valuations fixed by him or it, and shall deliver them to the tax assessor who shall hold them in his office open to public inspection. The tax assessor shall then give notice by publication once a week for three consecutive weeks in a newspaper published in the county, and if no newspaper is published in the county, by posting notices in at least three public places in each precinct of the county, that the county tax adjuster or board of tax adjusters has returned his or its report and that the same is open to inspection, and that the said county tax adjuster or board of tax adjusters will sit at the courthouse in the county, beginning on the first Monday in June, to correct any errors in the assessments or valuations, and it shall be the duty of the county tax adjuster or board of tax adjusters to see that such notice is given.

Section 89. For the purpose of hearing objections, if any, to assessments or valuations fixed by the county tax adjuster or board of tax adjusters, the said county tax adjusters or board of tax adjusters shall sit at the courthouse in his or its respective county on the first Monday in June in each year, from 9 A. M. to 4 P. M., and shall continue for at least one week, and as much longer as may be necessary, provided that he or it does not sit beyond the second Monday in July, unless otherwise ordered by the State tax commission, and provided further that where there is more than one courthouse in the county, the time for such sitting shall as nearly as practicable be equally divided between the respective courthouses thereof. At such sitting the property owner may appear in person, or by agent or attorney, and make his objection to any assessment or valuation theretofore made, and may produce evidence in support thereof, and it shall be the duty of the county tax adjuster or board of tax adjusters to examine under oath any complaining property owner, and to examine any other witnesses under oath as to the reasonable cash value of the property of such owner, and if it is found from the evidence that the valuation theretofore placed was not sixty per cent of the reasonable cash value of such property, whether more or less, then he or it shall correct the valuation or assessment, so that it will show sixty per cent of the reasonable cash value and such corrected amount shall constitute the taxable value of such property. But if said county tax adjuster or board of tax adjusters shall find from the evidence that the valuation placed on the property was sixty per cent of the reasonable cash value thereof, then said valuation shall stand as the taxable value of said property, unless an appeal is taken therefrom as provided by this act.

Section 90. When the county tax adjuster or board of tax adjusters shall have completed the work of hearing objections against valuations fixed on the taxable property, he or it shall enter upon the tax return lists his or its corrected valuations, if any changes have been made therein, and shall deliver the same to the tax assessor of the county, which changed or altered valuations shall be the taxable value of the property or properties, unless an appeal is taken, or unless otherwise ordered by the State tax commission.

Section 91. The county tax adjuster or board of tax adjusters, in the performance of his or its duties under the provisions of this act, shall have the same power and authority heretofore vested in county boards of equalization. Said county boards of equalization are hereby abolished.

Section 92. The county tax adjuster or board of tax adjusters shall have and exercise exclusive right, each in his or its respective county, to fix the taxable value of all property therein not specifically required to be assessed otherwise, subject only to the right of appeal, except as otherwise provided by this act.

Section 93. Nothing herein shall be construed to require the county tax adjuster or board of tax adjusters to value railroad property, telegraph and telephone lines, or any other property required by this act to be assessed by the State tax commission.

Section 94. The failure of the county tax adjuster or board of tax adjusters to perform any of his or its duties at the time prescribed, or to complete his or its duties within the time specified by this act, shall not invalidate any assessment or any act of his or it made or done after the expiration of such time. The duty of the county tax adjuster or board of tax adjusters to visit, inspect and examine each piece and parcel of real property in his or its county is directory and failure to do so shall not invalidate the assessments made by him or it.

Section 95. Whenever under the provisions of this act any notice, subpoena, or writing, is required to be given or served, the same may be served by any sheriff in this State, or his deputy, or by any lawful constable, or any tax assessor of this State, except as hereinafter provided.

Section 96. In counties having a population of two hundred thousand or more, the valuation for assessment shall be fixed by the board of tax adjusters and all questions arising before such board may be decided by a majority of such board, and any two of the members of such board shall constitute a quorum for the transaction of business. At the time of the appointment of the members of such board, one shall be designated by the appointing power as chairman of the board and the other two shall be known as associate members thereof.

Section 97. The county tax adjuster or chairman of the board of tax adjusters shall either alone or with counsel represent the State and county in all cases pending before the court of county commissioners or other court of like jurisdiction.

Section 98. The county tax adjuster or board of tax adjusters shall assess the taxes against each auctioneer, as provided by subdivision J, of section 5 of this act, and shall return such assessment immediately to the tax assessor, who shall enter the same upon his books as in the case of other assessment, and such assessor shall immediately make a statement of such assessment and deliver the same to the tax collector for collection. Such taxes become assessable and payable immediately upon the expiration of each such auction sale.

Section 99. That in cases where objection has been made by any taxpayer, his agent or attorney, to the valuation fixed by the county tax adjuster, or board of tax adjusters, on any property assessed against such taxpayer, and such valuation is overruled by said county tax adjuster or board, such taxpayer, his agent or attorney, may take an appeal from the action of the county tax adjuster or board of tax adjusters in overruling his objection to such valuation to the court of county commissioners or board of revenue of such county; unless the tax adjuster shall have noted on the assessment list a revised valuation made by him, assented to by the taxpayer after the taxpayer has made objection to the original valuation, or unless the tax adjuster has noted on the assessment list that the tax-

payer's objection is overruled, such taxpayer may appeal from the original valuation made by the tax adjuster.

Section 100. Each member of the court of county commissioners or board of revenue before entering upon his duties as such, for hearing appeals in tax cases, in addition to taking the regular oath of office now prescribed by the laws of the State of Alabama, shall take and subscribe to the following oath:

"I do solemnly swear that I will faithfully discharge the duties of adjusting tax values in cases appealed to this court and that I will fix the valuation of all property listed for taxation and submitted for valuation to the court of which I am a member, at sixty per cent of its reasonable cash value, to the best of my judgment and ability, so help me God."

Section 101. Whenever under the provisions of this act any notice, subpoena or writing is required to be given or served for or on account of the administration of said court of county commissioners or board of revenue, the same may be served by any sheriff in this State, or his deputy, or by any lawful constable, and compensation to such officer for serving such notice, subpoena or writing shall be the same as is now allowed the sheriff for summoning witnesses for the circuit court in civil cases, which shall be paid by the court of county commissioners, or other court having like jurisdiction, of the county, in the event the appeal is decided in favor of the contention of the taxpayer, and in the event the judgment of the court is against the contention of the taxpayer, judgment shall be entered in favor of the State and county and against such taxpayer for all costs incurred in such proceedings, for which execution may issue as in civil cases in the circuit court of the State and the property of such taxpayer may be levied upon and sold by the sheriff of the county as in such cases.

Section 102. The style of all cases upon the trial docket and minutes of said court of county commissioners or board of revenue shall be: "State of Alabama and county of (here give the name of the county), plaintiff, vs. (here give the name of taxpayer appealing), defendant."

Section 103. Whenever the court of county commissioners or board of revenue shall have rendered its judgment as to the value of any property the county tax adjuster or board of tax adjusters shall enter such valuation upon the assessment lists in the same manner as the original assessment valuations are entered, and the tax assessor shall make such records of same as are required to be made in values fixed by the county tax adjuster or board of tax adjusters, and such valuation shall be the assessment value of said property under the laws of this State, unless appeal is taken therefrom to the circuit court of the county.

Section 104. All appeals from the ruling of the county tax adjuster or board of tax adjusters fixing the values for property shall be taken within ten days after the date of the final decision of the county tax adjuster or board of tax adjusters to the court of county commissioners or board of revenue. The trial upon such appeal shall be de novo and the court shall render a judgment ascertaining and fixing the assessment valuation of said property, describing the property involved. All such appeals shall be set for trial at the first succeeding term of the court after the appeal is taken; provided, however, that no such appeal shall suspend the right of the State and counties to collect from the taxpayer taxes due upon his property as fixed for assessment for the preceding tax year, and the taxpayer shall, when the taxes are due, pay all taxes due at the assessed value for such preceding year. In the event the judgment of said court shall be rendered after the taxpayer shall have paid taxes based upon the assessed valuation for such preceding year, then the court shall render its judgment, determine and fix the assessed valuation of said property as aforesaid; and the tax-

payer shall be adjudged to pay the difference required by such increased assessed valuation, and the judgment shall show this fact. Provided, however, that if the court trying the same shall find that the value of the property is less than the assessed value upon which such taxpayer has paid taxes for the year in question, such fact shall be certified by the clerk of the court to the county tax assessor, and the taxpayer shall be entitled to be paid back the amount in excess of his taxes actually due, by the tax collector, and the tax collector shall have credit therefor as an error in assessment on his settlement with the State and county authorities. From the judgment of the court of county commissioners or board of revenue, as herein provided for, either party may appeal to the circuit court of the county within thirty days from the rendition of the judgment and trial shall there be had de novo.

Section 105. The opinion of the majority of the members of said court of county commissioners or board of revenue shall govern in the valuation and equalization of values of all property before them for determination, in the judgment to be rendered.

Section 106. The presiding judge of the court of county commissioners or board of revenue shall be the clerk of said court and may frame and issue or cause to be issued any summons, subpoena or other process necessary for the proper administration of said court and to carry into effect any lawful order or judgment rendered or made by such court.

Section 107. For the purpose of hearing cases brought before said court from the valuation fixed by the county tax adjuster or board of tax adjusters, the court of county commissioners or other court of like jurisdiction in every county shall hold regular terms on the fourth Monday in July in each and every year and may continue until the cases before it are disposed of, and such adjourned and special term, either or both, as may be necessary, and may continue in session in each case until the business before it is disposed of.

Section 108. All such appeals to the circuit court as herein provided shall be taken within thirty days after the final decision of the court of county commissioners or board of revenue fixing the valuation as provided for in this act, and the taxpayer shall give bond with sureties to be approved by the clerk of the court to which the appeal is taken and payable to the State of Alabama, conditioned to pay all the costs created by the appeal and abide and perform whatsoever judgment said court may render in the premises. The trial upon such appeal shall be de novo and by and with the jury unless a jury trial is waived, and the court shall determine and fix the assessed valuation of the property involved. All such appeals shall be preferred cases and shall be set for trial at the first succeeding term of court after the appeal is taken, unless the court shall be in session at the time the appeal is taken, in which event the case shall be set for trial during the term then in session; provided, however, that no such appeal shall suspend the right of the State and county to collect from the taxpayer the taxes due upon his property at the valuation theretofore fixed for assessment for the preceding tax year, and the taxpayer shall, when the taxes are due, pay all taxes due at the assessed valuation for such preceding year. If the judgment of the circuit court shall be rendered after the taxpayer shall have paid taxes based upon the assessed valuation for such preceding year, the court shall ascertain and determine the amount of taxes so paid, and in the event the valuation so fixed by said court shall exceed in amount the valuation of the assessment for the preceding year, then the court shall render a judgment fixing said difference, together with the costs of the court, and this amount so ascertained and fixed shall be paid by the taxpayer.

From the judgment of the trial court, either party may appeal to the court of appeals, or to the supreme court, as in civil cases, within thirty

days from the rendition of the judgment. Provided, that if the judgment of the court fixes the value of the property at a less amount than the assessed value on which such taxpayer has paid taxes for the year in question, and no appeal is taken, such facts shall be certified by the clerk of the court to the tax assessor and the taxpayer shall be entitled to be paid back the amount in excess of his taxes actually due by the tax collector, and the tax collector shall have credit therefor as an error in assessment on his settlement with the State and county authorities.

Amend said bill by changing the words, "ten per cent of the value to be assessed thereon," where they occur in sections 55, 57, 58 and 61, to read, "ten per cent of the taxes to be assessed thereon."

Add section 426, which shall read as follows:

Section 426. All laws and parts of laws in conflict herewith be and the same are hereby repealed.

Amend subsection 13 of section 336, so that the same shall read as follows: "Insurance companies organized under the laws of this State, or any other state or country, and paying a license fee or privilege tax upon premium receipts for the privilege of transacting business in this State."

Amend license schedule 84 by striking out the words, "and other metallic ammunition."

Amend said bill by striking out of section 72 where they occur, after the words, "and at the same time levy the amount of special taxes required for the county for the current year," the words, "not to exceed one-fourth of one per cent."

Amend section 5 by striking out the first portion thereof down to subdivision A, and by inserting in lieu thereof the following:

"Section 5. The subjects of taxation, except as exempted by existing laws, shall be as follows:—"

Amend schedule 24 of section 361 by striking out the words, "greater than a quart," and inserting in lieu thereof the words, "of a quart or more."

Amend section 181 by striking out the word "correct" where the same appears therein, and insert in lieu thereof the word "incorrect."

Amend by adding section 427 as follows:

Section 427. That the governor is hereby vested with authority to remove at his pleasure any member of the State tax commission, or any county tax adjuster; that the right of removal may be exercised without regard to the term of office or employment.

Amend section 134 by striking out from the end of the last sentence thereof the words, "and shall be a free-holder, and provided further that one of said members shall be a man learned in the law."

Amend section 224 by striking out the words, "county tax assessor," where they last occur in said section, and insert in lieu thereof the words "county tax adjuster or board of tax adjusters."

Respectfully,
Thos. E. Kilby,
Governor.

By a vote of Yeas, 58; nays, 24, which was a majority of the whole number elected to the House of Representatives.

And sends same herewith to the Senate.

Fred H. Gormley,
Clerk.

HOUSE AND GOVERNOR'S MESSAGE.

On motion of Mr. Acker, the Senate concurred in and adopted the amendments proposed by his excellency, the governor, to

House bill 383, the title of which is set out in the foregoing message from the House and said proposed amendments being set out in the foregoing message from his excellency, the governor.

Yeas, 23; nays, 10.

Yeas:

Messrs:

Acker	Butler	Griffith	Smith (Coosa)
Baker	Caffey	Gunter	Smith (Lawrence)
Beale	Carmichael	Kelly	Sims
Bedsole	Cowan	Miller	Tally
Briscoe	Craft	Nance	West
Brown	Espy	Prestwood	

—23

Nays:

Messrs:

Carlton	Harper	Morris	Phillips
Ellis	Huddleston	McDowell	Rogers (Lauderdale)
Evins	Leith		

—10

Which was a majority of the whole number elected to the Senate.

PAIR ANNOUNCED.

Mr. Moore announced that he and Mr. Rogers of Sumter were paired on this vote; that Mr. Rogers of Sumter, if present, would vote yea and he, Mr. Moore, would vote nay.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has originated and passed the following House bill 974:

H. 974. To further provide for the prevention and suppression of diseases and parasites, among cattle, horses, mules, asses and hogs, such as hog cholera, glander, cattle fever tick, foot and mouth disease, and other infectious and communicable diseases and parasites by requiring all railroad cars in which animals are transported in Alabama, from points within the quarantined area as defined by the United States department of agriculture or by the State live stock sanitary board, to be cleaned and disinfected.

And ordered the same sent forthwith to the Senate without engrossment.

Fred H. Gormley,
Clerk.

HOUSE MESSAGE.

The House bill in the foregoing House message was read once and referred to appropriate standing committee as follows:

H. 974. To the Committee on Judiciary.

Mr. Morris offered the following resolution :

S. 139. Resolved, That on the fifteenth day, the Senate agrees to hold night session until 2 o'clock later, or later.

Which was read and referred to the Standing Committee on Rules.

NOTICE OF MOTION TO TAKE FROM ADVERSE CALENDAR.

Mr. Acker gave the Senate the following notice in writing :

"Notice is hereby given that on the next legislative day I will move to take from the adverse calendar, have the same read a second time and placed on the regular calendar for a third reading, the bill :

S. 584. To authorize the governor to employ a special force of not more than ten men to serve under his immediate direction and control, to assist him in his duty of taking care that the laws of the State are faithfully executed, and to provide compensation for their services.

W. P. Acker."

MESSAGE FROM THE GOVERNOR.

In re Senate Bill No. 448.

Gentlemen of the Senate:

I herewith return Senate bill No. 448, to create a county highway commission for Cherokee county, Alabama, and for other purposes, without my approval.

I regret it because it has some excellent provisions. However, it has one fatal defect which is that after creating the Cherokee County Highway Commission and providing for the appointment of the members thereof by the governor and investing the commission with full, complete and unlimited jurisdiction over the public roads, bridges, and ferries in Cherokee county, prescribes an elaborate schedule of license or privilege taxes to be applied to the maintenance and upkeep of the roads, and attempts to confer upon the highway commission the authority and power "to levy and collect a privilege or license tax for the use of the public roads, in addition to those now levied by the State." I am advised that this cannot be done consistently with the Constitution of the State. It is an attempted delegation of the taxing power by the State Legislature to a board or commission, the members of which are not elected by the people, and which cannot be classified as one of the political subdivisions of the State. The board could well be invested with purely administrative powers and probably with ordinary police powers, but the taxing power stands in a class by itself and should not be, as a matter of public policy, apart from constitutional objections, delegated to a mere administrative board. However, the position here taken is fully justified by decisions of the court of last resort in Alabama and elsewhere. The bill if enacted would also conflict with the pending revenue bill, as it does conflict with the existing general revenue bill in levying a privilege or license tax on certain businesses or occupations which are

exempted from county taxation and also where there is an express apportionment of the proceeds from such taxes between the State and the counties. I, therefore, suggest the following amendments to meet my objections to the bill:

Amend section 18 by striking out the words "The Cherokee County Highway Commission" and substituting therefor the words, "The Court of County Commissioners, or other governing body of Cherokee county are hereby authorized, empowered and directed when requested in writing by the Cherokee county highway commission in writing."

Amend the bill by adding thereto section 53, as follows:

"Section 53. Provided that if the general revenue act, or any general act, to be enacted by this Legislature shall include provisions fixing and regulating the general license or privilege taxes on ~~vehicles of any kind~~ however propelled or driven for the use of the State and the counties of the State, and providing that the proceeds of such privilege or license taxes shall be apportioned between the State and the counties of the State, such provisions and such apportionment of such license or privilege taxes under any such general law shall take precedence of and shall be in lieu of the privilege or license taxes authorized to be levied and collected under this act to the extent covered by such general act, and provided further that all provisions of this act fixing or levying any privilege or license taxes in conflict or inconsistent with the provisions of any such general law shall be void and of no operation and effect."

Respectfully,
(Signed) Thos. E. Kilby,
Governor.

Sept. 10, 1919.

GOVERNOR'S MESSAGE.

On motion of Mr. Nance, the Senate concurred in and adopted the amendment proposed by his excellency, the governor to the bill:

S. 448. To create a county highway commission for Cherokee county, Alabama, to be known as the Cherokee county highway commission and to provide for the appointment thereof by the governor; to invest it with full, complete and unlimited jurisdiction over the public roads, bridges and ferries in Cherokee county; to prescribe and define its powers and duties as such highway commission, and to repeal all laws and parts of laws in conflict therewith; to abolish free labor on the public roads in Cherokee county and in lieu thereof, assess public road dues on those required to perform free labor on the public roads; to authorize the commission to take charge of all the public road tools and machinery belonging to the county, and to receive all the funds now provided by the county for the use of the public roads, bridges and ferries therein; and, in addition thereto, to levy and collect special privilege license taxes for the construction and maintenance of the public roads, bridges and ferries in the county; to authorize and empower the commission to exercise all the legislative, judicial and executive authority over the public roads,

bridges and ferries conferred by law on the court of county commissioners; to fix penalties for the violations of any of the provisions of this act, and for the violation of any of the rules or legislative acts of the commission.

Said amendment being set out in the foregoing message from the governor.

Yeas, 23; nays, 0.

Yeas:

Messrs:

Acker	Butler	Leith	Rogers (Lauderdale)
Baker	Carmichael	Moore	Sims
Beale	Craft	Morris	Smith (Coosa)
Bedsole	Evins	McDowell	Tally
Briscoe	Harper	Nance	West
Brown	Kelly	Prestwood	

—23

Nays:—None.

Being a majority of the whole number elected to the Senate.

BILLS ON THIRD READING.

The bill:

S. 105. To appropriate the further sum of seventy-five hundred (\$7,500.00) dollars, or so much thereof as may be necessary to pay for the transportation of troops of the Alabama National Guard that were heretofore and prior to September 29th, 1915, transported by railroad common carriers on the request or order of the governor or the adjutant general of Alabama, reimbursement for which, on account of the deficiency of the appropriation for that purpose as heretofore made by the act, approved September 29th, 1915, entitled, "An act to appropriate the sum of seven thousand four hundred and fifty-six and seven one-hundredths (\$7,456.07) dollars to pay for the transportation of troops of the Alabama National Guard heretofore transported by railroad common carriers on the request or order of the governor or adjutant general," has not been made in full to said carriers.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 21; nays, 2.

Yeas:

Messrs:

Acker	Butler	Craft	Morris
Baker	Caffey	Espy	Nance
Beale	Carlton	Evins	Rogers (Lauderdale)
Bedsole	Carmichael	Harper	Sims
Briscoe	Cowan	Kelly	Tally
Brown			

—21

Nays:
Messrs:
Leith

West

—2

The bill:

H. 427. To appropriate the sum of four hundred, twenty-eight and 94/100 dollars, the relief of W. H. Jones, for overpayments of solicitor fees made by him to the State of Alabama as clerk of the circuit court of Covington county during the period from January 1, 1905, to January 1st, 1916.

Was read a third time at length and passed.

Yeas, 22; nays, 0.

Yeas:
Messrs:

Acker
Baker
Beale
Briscoe
Brown
Caffey

Carlton
Carmichael
Cowan
Craft
Espy
Evins

Leith
Miller
Morris
McDowell
Nance

Prestwood
Rogers (Lauderdale)
Sims
Tally
West

—22

Nays:—None.

MOTION TO TAKE FROM ADVERSE CALENDAR.

Pursuant to notice heretofore given, Mr. Leith moved to take from the adverse calendar, have the same read a second time and placed on the regular calendar, the resolution:

S. J. R. 108. Relative to the Recess Committee on Convicts reorganizing and sitting during this Legislature to investigate such convicts as they deem proper.

Also:

S. J. R. 109. Providing for the printing and distribution of 200,000 copies of the evidence and data, minority and majority reports of the Recess Investigating Committee on Convicts and Highways, and the governor's message.

And Mr. Leith also moved that the following bills be taken from the adverse calendar, read a second time and placed on the regular calendar, pursuant to written notice heretofore given:

S. 410. To propose and submit to the qualified electors of the State of Alabama at the next general election to be held in and for said State a proposed amendment to the Constitution whereby the Legislature may make laws for the purpose of levying or collecting what is known as an inheritance tax on real and personal money, public and private securities of every kind in this State passing from any person who may die seized and possessed thereof, or of any part of such estate of any securities, or interest

therein, transferred by the interstate laws of this State, or by will, deed, grant, bargain, sale or gift made or intended to take effect in possession after death of the grantor, deviser or donor and to exempt from such tax fifty thousand dollars.

Also:

S. 619. To repeal an act entitled "An act to better secure the administration of the finance affairs of the State with respect to expenditures and appropriations and for that purpose to establish a State budget commission and to prescribe rules and regulations governing the same," approved February 11, 1919.

Also:

S. 620. To repeal an act entitled "An act to create a State board of control and economics and to provide members thereof, their tenure in office, salaries, duties and mode of appointment, and to prescribe rules and regulations governing said board," approved February 13, 1919.

Mr. Carmichael moved that consideration of these motions be postponed until 2:30 o'clock P. M., on the next legislative day, which motion prevailed and consideration of said motions was postponed until 2:30 o'clock P. M., on the next legislative day.

MESSAGE FROM THE HOUSE.

Mr. President:

The Speaker having signed the following House bills, your signature thereto is requested:

H. 12. To amend an act entitled, "An act to amend section 3317 of the Code of Alabama, 1907. Relates to the publication of receipts and disbursements, by counties," approved September 25, 1915.

Also:

H. 366. To amend an act entitled "An act to prevent stock from running at large in beats 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 12, 13, 16 and 17 in Coosa county.

Also:

H. 599. To regulate the fines and forfeitures of Coffee county, Alabama; to prescribe what claims shall be filed against the fine and forfeiture fund of said county, and to prescribe the order of priority in which the same shall be paid.

Also:

H. 625. To fix the salary of the deputy solicitor for Baldwin county, Alabama.

Also:

H. 650. To provide for the appointment of bailiffs in circuits composed of only one county and having four or more judges, and having a sheriff serving on a salary basis, and to fix the compensation of such bailiffs and provide for its payment.

Also:

H. 707. To repeal an act entitled: "An act to establish in precinct one in Morgan county, Alabama, an inferior court in lieu of all justices of the peace and notaries public with powers of justices of the peace in said precinct, to be known as the inferior court of Decatur; to define the jurisdiction and powers of said court and the judge thereof." Approved September 2, 1915.

Also:

H. 711. To repeal an act entitled: "An act to establish in precinct 19, in Morgan county, Alabama, an inferior court in lieu of all justices of the peace and notaries public with powers of justices of the peace in said precinct, to be known as the inferior court of New Decatur; to define the jurisdiction and powers of said court and the judge thereof." Approved September 2, 1915.

Also:

H. 729. To make better provision for the payment of the fees of State witnesses in criminal cases in the circuit court and county court and before the grand jury of Crenshaw county, to make appropriations therefor and to fix the amount of such fees and to prescribe the duties of the county treasurer under this act.

Also:

H. 788. To abolish the second division of the municipal court of Birmingham, Alabama.

Also:

H. 792. To take away from all inferior courts created in lieu of justices of the peace in any one or more of the precincts of Jefferson county, Alabama, except any such court so created for one or more of the following precincts, to-wit: 1, 2, 3, 4, 5, 7, 24, 27, 33, 35, 40, 41, 45, 52, 29, 49, 51, 53 and 55, criminal and quasi-criminal jurisdiction.

Also:

H. 720. Empowering the clerk of the circuit court in the county of Baldwin to take affidavits for the arrest of parties charged with crime, and to issue warrants for the arrest of such parties, returnable before the judge of the county court.

Also:

H. 769. To authorize the court of county commissioners of Bibb county, Alabama, to issue interest bearing warrants to officers and employees of said county in settlement of claims against the county for services when the county is unable to pay for such services when such claims accrue.

Fred H. Gormley,
Clerk.

SIGNING OF BILLS.

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the following bills:

H. 12. To amend an act entitled, "An act to amend section 3317 of the Code of Alabama, 1907. Relates to the publication of receipts and disbursements, by counties," approved September 25, 1915.

Also:

H. 366. To amend an act entitled "An act to prevent stock from running at large in beats 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 12, 13, 16 and 17 in Coosa county.

Also:

H. 599. To regulate the fines and forfeitures of Coffee county, Alabama; to prescribe what claims shall be filed against the fine and forfeiture fund of said county, and to prescribe the order of priority in which the same shall be paid.

Also:

H. 625. To fix the salary of the deputy solicitor for Baldwin county, Alabama.

Also:

H. 650. To provide for the appointment of bailiffs in circuits composed of only one county and having four or more judges, and having a sheriff serving on a salary basis, and to fix the compensation of such bailiffs and provide for its payment.

Also:

H. 707. To repeal an act entitled: "An act to establish in precinct one in Morgan county, Alabama, an inferior court in lieu of all justices of the peace and notaries public with powers of justices of the peace in said precinct, to be known as the inferior court of Decatur; to define the jurisdiction and powers of said court and the judge thereof." Approved September 2, 1915.

Also:

H. 711. To repeal an act entitled: "An act to establish in precinct 19, in Morgan county, Alabama, an inferior court in lieu of all justices of the peace and notaries public with powers of justices of the peace in said precinct, to be known as the inferior court of New Decatur; to define the jurisdiction and powers of said court and the judge thereof." Approved September 2, 1915.

Also:

H. 729. To make better provision for the payment of the fees of State witnesses in criminal cases in the circuit court

and county court and before the grand jury of Crenshaw county, to make appropriations therefor and to fix the amount of such fees and to prescribe the duties of the county treasurer under this act.

Also:

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Also:

H. 792. To take away from all inferior courts created in lieu of justices of the peace in any one or more of the precincts of Jefferson county, Alabama, except any such court so created for one or more of the following precincts, to-wit: 1, 2, 3, 4, 5, 7, 24, 27, 33, 35, 40, 41, 45, 52, 29, 49, 51, 53 and 55, criminal and quasi-criminal jurisdiction.

Also:

H. 720. Empowering the clerk of the circuit court in the county of Baldwin to take affidavits for the arrest of parties charged with crime, and to issue warrants for the arrest of such parties, returnable before the judge of the county court.

Also:

H. 769. To authorize the court of county commissioners of Bibb county, Alabama, to issue interest bearing warrants to officers and employees of said county in settlement of claims against the county for services when the county is unable to pay for such services when such claims accrue.

BILLS ON THIRD READING RESUMED.

The bill:

S. 553. To provide for a clerk to the tax assessor in counties having more than 37,000 population and less than 37,400 population, according to the 1910 Federal census, to prescribe the duties of such clerks and provide for their appointment and compensation.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas 20; nays, 0.

Yeas:

Messrs:

Acker

Baker

Beale

Brown

Carlton

Carmichael

Espy

Evins

Gunter

Huddleston

Morris

Nance

Prestwood

Rogers (Lauderdale)

Rogers (Sumter)

Sims

Smith (Coosa)

Smith (Lawrence)

Tally

West

Nays:—None.

The bill:

S. 661. To provide for the payment of sundry or incidental expenses of the sheriff's office in counties in this State having a sheriff serving on a salary basis, or which may hereafter have a sheriff serving on a salary basis, and to provide for an accounting by the sheriff of money received by him under this act.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 23; nays, 0.

Yeas:

Messrs:

Acker	Carlton	Gunter	Sims
Beale	Carmichael	Leith	Smith (Coosa)
Briscoe	Cowan	Miller	Smith (Lawrence)
Brown	Craft	Nance	Tally
Butler	Evins	Phillips	West
Caffey	Griffith	Prestwood	

—23

Nays:—None.

The bill:

S. 628. To provide for the relief of the city of Montgomery, Alabama, of the sum of \$8,901.62 for paving with asphalt of the roadway of Bainbridge, Washington and Union streets adjoining the State capitol and to authorize the payment of the same.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 24; nays, 0.

Yeas:

Messrs:

Acker	Carlton	Evins	Prestwood
Beale	Carmichael	Griffith	Sims
Briscoe	Cowan	Gunter	Smith (Coosa)
Brown	Craft	Leith	Smith (Lawrence)
Butler	Ellis	Miller	Tally
Caffey	Espy	Nance	West

—24

Nays:—None.

The bill:

S. 629. To provide for the relief of the city of Montgomery, Alabama, of the sum of \$862.14 for paving the sidewalks of the State normal school on South Jackson street and to authorize the payment of the same.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 24; nays, 0.

*Yeas :**Messrs :*

Acker	Carlton	Griffith	Nance
Beale	Carmichael	Gunter	Sims
Briscoe	Cowan	Harper	Smith (Coosa)
Brown	Craft	Kelly	Smith (Lawrence)
Butler	Espy	Leith	Tally
Caffey	Evins	Miller	West

—24

*Nays :—None.***The bill :**

S. 500. Providing for the establishment and construction of a trunk highway from Garden City, Cullman county, Alabama, to the Jefferson county line, along and over the abandoned track bed of the Louisville and Nashville Railroad, which has been dedicated to the State for public highway.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 24; *nays*, 0.

*Yeas :**Messrs :*

Acker	Carmichael	Griffith	Nance
Beale	Cowan	Gunter	Prestwood
Briscoe	Craft	Harper	Sims
Brown	Ellis	Kelly	Smith (Coosa)
Butler	Espy	Leith	Tally
Carlton	Evins	Miller	West

—24

*Nays :—None.***The bill :**

S. 660. To require the superintendent, manager, intern, or other person in control or in charge of hospitals, and physicians, treating injured persons, to report, to the chief of police and sheriff, any and all injured persons coming into such hospital, in counties having a population of two hundred thousand or more, according to the last Federal census or any future Federal census, and to fix penalties for the violation thereof.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 20; *nays*, 0.

*Yeas :**Messrs :*

Acker	Carmichael	Kelly	Sims
Beale	Cowan	Leith	Smith (Coosa)
Briscoe	Craft	Nance	Smith (Lawrence)
Butler	Gunter	Prestwood	Tally
Carlton	Harper	Rogers (Lauderdale)	West

—20

Nays :—None.

The bill:

H. 875. To authorize and empower the county of Marengo to issue its bonds, bearing interest at the rate of six per centum per annum, for the purpose of refunding its indebtedness, existing at the date of the approval of this act; to sell the same at not less than their face value; to regulate their issuance and sale, and to repeal all laws in conflict with this act, in so far as the said county is concerned.

Was read a third time at length and passed.

Yeas, 24; nays, 0.

Yeas:

Messrs:

Acker	Carlton	Griffith	Rogers (Lauderdale)
Beale	Carmichael	Gunter	Rogers (Sumter)
Briscoe	Cowan	Harper	Sims
Brown	Craft	Kelly	Smith (Coosa)
Butler	Ellis	Leith	Tally
Caffey	Espy	Nance	West

—24

Nays:—None.

RESOLUTION.

The resolution:

S. J. R. 120. Relating to Federal aid for the promotion or development of mines and mining, and mining engineering in the State of Alabama.

Was read a third time at length and adopted, and ordered sent forthwith to the House without engrossment.

SPECIAL ORDER SET.

On motion of Mr. Prestwood, the bill:

S. 309. To provide for the establishment and maintenance of a home for mental inferiors in Alabama; to define who are mental inferiors; to provide for their care, treatment, and training, and to appropriate the money necessary therefor from the State treasury.

Was made a special order for the forty-fifth legislative day immediately after roll call.

REPORT OF COMMITTEE.

On motion of Mr. Carmichael, the Committee of the Whole rose and reported:

S. 470. To provide a complete educational system for the State of Alabama; to provide a public school fund; to provide for the administration of the public school and to create a State

board of education and to prescribe its powers and duties; to make appropriations for elementary schools and other institutions of learning in the State, including the University of Alabama, Alabama Polytechnic Institute, Alabama Technical Institute for Women, Agricultural and Mechanical Institute for Negroes, Tuskegee Normal and Industrial Institute, State normal schools, State secondary agricultural schools, Northwest Alabama Agricultural and Industrial Institute, county high schools, Alabama School for Deaf, Alabama School for the Blind, Alabama School for Negro Deaf and Blind, Alabama Boys' Industrial School, Alabama Reform School for Juvenile Negro Law Breakers; to provide for the erection of certain necessary buildings and to make appropriations for the same; to create county and city boards of education, to define their respective powers and duties, to provide for the payment of their necessary expenses, including equipment and furniture; to provide for holding elections for the one mill county tax on each dollar of taxable property, under the Constitution of 1901; to provide for holding elections for county tax of three mills or less, on each dollar of taxable property, under the amendment to the Constitution of 1901; to provide for holding elections for district taxes of three mills or less, on each dollar of taxable property, prescribe the method of holding such elections; to prescribe the duties and powers of the State superintendent of education and to fix his compensation; to make appropriations for the State department of education and to define its duties and powers; to provide for the appointment of county superintendents of education, to define their powers and duties and to provide for their compensation; to provide for boards of school trustees; to provide for the appointment of city superintendents of education and to define their powers and duties and to provide for their compensation; to provide for supervisors of schools in the various counties and cities and to fix their powers and duties and to provide for their compensation; to provide for a bonus fund for counties levying and collecting a special tax for school purposes and to fix the amount, proportioned upon the rate of such special tax; to provide for a county treasurer of school funds; to provide for compulsory attendance upon the schools of the State, within certain ages, and to fix penalties and provide for the appointment of attendance officers and to define their duties and fix their compensation, and to provide the method of enforcement of compulsory attendance within the ages prescribed; to provide for the certification of teachers, how such certificates may be obtained, the length of time they are to be in force and to provide appropriations for the necessary expenses of conducting teachers' examinations and

issuing certificates and to provide the necessary clerical and other assistants in and about this business; to provide for the training of teachers in actual service and make appropriations for the expenses thereof; to provide pecuniary assistance for the erection, repair, and equipment of rural school houses throughout the State and to prescribe the methods and conditions under which such assistance may be obtained, and to make appropriations therefor; to provide for the sale and conveyance of certain lands which have been conveyed through the State for school purposes; to provide for rural libraries throughout the State, and to provide for rural libraries throughout the State, and to provide the method by which assistance to such rural libraries may be obtained, and to provide appropriations therefor; to provide for vocational education and to make appropriations therefor; to provide for the removal of illiteracy among adults as well as among minors and to make appropriations therefor; to provide uniform text books throughout the State and to create a State textbook committee and define its powers and duties; to provide for county high schools and to prescribe the conditions under which such county high schools may obtain assistance from the State, and to make appropriations therefor, and to provide that such county high schools may be assisted financially by county boards of revenue or boards of education or by municipalities, or by private agencies; to provide for county high school treasurers, to fix their bonds and prescribe their powers and duties and to provide for the payment of the premium upon their bonds; to provide for county treasurers of school funds, to fix their bonds and prescribe their powers and duties and to provide for the payment of the premium upon their bonds; to provide for the establishment of six State secondary agricultural schools, to provide the method of their location, to provide for their management and control, and to make appropriations therefor; to provide for certain State normal schools, to provide for their control and management and to make appropriations therefor, and to make special appropriations for certain buildings, improvements, and for the purchase of real estate and for the payment of certain indebtedness therefor; to make appropriations for the Tuskegee Normal and Industrial Institute, the Agricultural and Mechanical Institute for Negroes; to change the name of the school heretofore established at Montevallo as the "Alabama Girls' Industrial School," later known and called the "Alabama Girls' Technical Institute," to the name of the "Alabama Technical Institute for Women," to provide its powers and duties; to create a board of trustees for such institute, to prescribe their powers and duties and their methods of appointment and

length of service, and to make appropriations therefor; to provide for the control and management of the Alabama Polytechnic Institute, to define the powers and duties of the board of trustees for such institute, the method of appointment of such trustees, and to make appropriations therefor; to provide for the control and management of the University of Alabama, to define the powers and duties of the board of trustees for such University, the method of appointment of such trustees, and to make appropriations therefor; to provide for the summer schools at the University of Alabama and to make appropriations therefor; to create a State council of education, to prescribe its powers and duties and to make appropriations therefor; to provide for the management and control of the Alabama Institute for the Deaf, to create a board of trustees therefor and to provide for the method of their appointment and the length of service, and to provide appropriations therefor; to provide for the management and control of the Alabama Academy for the Blind, to create a board of trustees therefor and to provide for the method of their appointment and the length of service and to provide appropriations therefor; to provide for the management and control of the Alabama School for Negro Deaf Mutes and Blind, to create a board of trustees therefor and to provide for the method of their appointment and the length of service, and to provide appropriations therefor; to provide for the maintenance and establishment of the Alabama Boys' Industrial School, to provide for the management and control thereof and for the appointment of a board of directors, to define their powers and duties and the method of committing white boys thereto, and to make appropriations for such school; to provide for the maintenance and establishment of the Alabama Reform School for Juvenile Negro Law Breakers, to provide for the management and control thereof, and for the appointment of a board of directors, to define their powers and duties and the method of committing negro boys thereto, and to make appropriations for such school; to provide for the lease and sale of school lands in this State; to provide for the abolishment of township lines for school purposes; to require private, denominational and parochial schools to make reports; to require county and city boards of education to give regular instruction in all schools under their direction as to the nature of alcoholic drinks, tobacco and other narcotics and their effect upon the human system; to provide penalties for the violation of the provisions of this act, and to provide for the repeal of inconsistent laws heretofore enacted.

With amendment. Said committee of the whole amendment being as follows, to-wit:

Amend by striking out the title of the bill and inserting a new title as follows:

A BILL

To be entitled an act to provide a complete educational system for the State of Alabama; to provide a public school fund; to provide for the administration of the public schools and create a State board of education and prescribe its powers and duties; to create county and city boards of education, to define their respective powers and duties, to provide for the payment of their necessary expenses and equipment, including furniture; to provide for the holding of elections for the one mill county tax on each dollar of taxable property under the Constitution of 1901; to provide for the holding of elections for the county tax of three mills or less on each dollar of taxable property under the amendment to the Constitution of 1901; to provide for the holding of elections for the district tax of three mills or less on each dollar of taxable property, and to prescribe the method of holding such elections; to prescribe the duties and powers of the State superintendent of education and to fix his compensation; to provide for the organization of the State department of education; to provide for the appointment of county superintendents of education, to define their duties and powers and to provide for their compensation; to provide for boards of school trustees; to provide for the appointment of city superintendents of education, to define their duties and powers, and to provide for their compensation; to provide for supervisors of schools in the various counties and cities, to fix their duties and powers, and provide for their compensation; to provide for the use of a bonus fund for counties levying and collecting a special county tax for school purposes, and to fix the amount in accordance with the rate of such special tax; to provide for a county treasurer of school funds; to provide for compulsory attendance upon the schools of the State within certain ages, to fix penalties, to provide for the appointment of attendance officers and to define their duties and fix their compensation and to provide the method of enforcing compulsory attendance within the ages prescribed; to provide for the certification of teachers, and to provide for the use of appropriations for the issuance of certificates and for the conduct of teachers' institutes, for the training of teachers in service, and provide the necessary clerical and other assistants; to provide financial assistance for the erection, repair and equipment of rural schoolhouses, and to prescribe the conditions under which such assistance may be obtained; to provide for the sale and conveyance of certain lands that have been conveyed

to the State for school purposes; to provide for rural libraries throughout the State, including the method by which assistance may be obtained; to provide for vocational education and for the use of appropriations therefor; to provide for the removal of illiteracy among adults as well as among minors, and for the use of appropriations therefor; to provide uniform textbooks throughout the State and to authorize the creation of a State textbook committee and to define its powers and duties; to provide for county high schools and prescribe the conditions under which such county high schools may obtain assistance from the State, and to authorize such county high schools to receive financial assistance from county boards of revenue, boards of education, school districts or private sources; to provide for county high school treasurers, to fix their bonds and prescribe their powers and duties and to provide for the payment of the premiums upon their bonds; to provide for county treasurers of school funds, to fix their bonds and prescribe their powers and duties and to provide for the payment of the premiums upon their bonds; to provide for changing the name of the nine branch agricultural schools and experiment stations, or district agricultural schools, and of the Northeast Alabama Agricultural and Industrial Institute to State secondary agricultural schools, to provide for their management and control and for their continuance upon the meeting of certain requirements and for the use of appropriations therefor; to provide for certain State normal schools and for their control and management and for the use of appropriations therefor; to provide for the creation of the Alabama School of Trades and Industry and for its control and management; to provide for changing the name of the Agricultural and Mechanical College for Negroes to Agricultural and Mechanical Institute for Negroes, and to provide for its management and control and for the use of appropriations therefor; to provide for changing the name of the school heretofore established at Montevallo as the Alabama Girls' Industrial School, later called the Alabama Girls' Technical Institute, to the name of the Alabama Technical Institute and College for Women; to create a board of trustees for such institute, to prescribe their powers and duties, their method of appointment, and length of service, and for the use of appropriations therefor; to provide for the management and control of the Alabama Polytechnic Institute, to define the powers and duties of the board of trustees, the method of appointment of such trustees, and for the use of appropriations to said institute; to provide for the management and control of the University of Alabama, to define the duties and powers of the trustees, the method of appointment of such

trustees, and for the use of appropriations to the University; to provide for a summer school at the University of Alabama and for the use of appropriations therefor; to create a State council of education and to prescribe its powers and duties; to provide for the management and control of the Alabama Institute for the Deaf; of the Alabama Academy for the Blind, and of the Alabama School for Negro Deaf and Blind, to create a board of trustees therefor and to provide for the method of their appointment and the length of service and for the use of appropriations therefor; to provide for the establishment and maintenance of the Alabama Boys' Industrial School, to provide for the management and control thereof, and for the appointment of a board of directors, to define their powers and duties and the method of committing boys thereto, and for the use of appropriations therefor; to provide for the maintenance and establishment of the Alabama School for Juvenile Negro Lawbreakers; to provide for the management and control thereof, and for the appointment of a board of directors, to define their powers and duties, and for the method of committing boys thereto, and for the use of appropriations for such school; to provide for the lease and sale of school lands in the State; to make certain requirements with reference to the bonds of officials and employees authorized under the provisions of this act; to require county and city boards of education to give regular instruction in all schools under their direction as to the nature of alcoholic drinks, tobacco and other narcotics; to require private, denominational and parochial schools to make reports; to provide penalties for the violation of the provisions of this act and to provide for the repeal of inconsistent laws enacted hereafter.

Amend bill and title of bill by striking out "Alabama Technical Institute for Women" wherever found in said bill and title and inserting in lieu thereof "Alabama Technical Institute and College for Women."

Amend by striking out section 2 of article 2 of the bill and inserting in lieu thereof the following:

Section 2. The supervision of the public schools of the State shall be vested in the State superintendent of education with the advice and counsel of a State board of education, and their powers, duties and compensation shall be fixed by law.

Amend section 1, of article 3 of the bill by inserting in lieu thereof the following:

Section 1. The State board of education shall be composed of the governor, of six members to be appointed by him and confirmed by the Senate for terms of twelve years beginning on the first day of October next succeeding their appointment, and of

the State superintendent of education who shall be chairman and executive officer of the board. In making the first appointments under this section, the governor shall appoint two members whose terms of office shall expire on September 30, 1923; two members whose terms of office shall expire on September 30, 1927; and two members whose terms of office shall expire on September 30, 1931; and thereafter as the respective vacancies occur, appointments to the State board of education shall be made by the governor before the first day of October and for terms of twelve years. The members of the board shall be appointed solely for **their character and fitness, but no person shall be appointed to the board who is in any way subject to its authority.** The governor may remove any member of the board, appointed under the provisions of this section for immorality, misconduct in office, incompetency, or wilful neglect of duty, giving to him a copy of the charge against him, and an opportunity of being publicly heard in person or by counsel in his own defense, upon not less than ten (10) days notice. If any member shall be removed, the governor shall file in the office of the secretary of State a complete statement of all charges against such member, and his findings thereon, together with a complete record of the proceedings. Vacancies on the board for any cause shall be filled by the governor for the unexpired term, and until a successor qualifies. Before exercising any authority or performing any duty as a member of the State board of education, each member thereof shall qualify as such by taking and subscribing to the oath of office prescribed by article sixteen (16) of the State Constitution, the certificate whereof shall be filed with the records of the State board of education.

Amend by striking out section 3 of article 3 of the bill and inserting in lieu thereof the following:

Section 3. The members of the State board of education shall receive a per diem of ten (10) dollars for each day of actual service and for a total of not more than twenty-five (25) days in any fiscal year, and their actual traveling and other necessary expenses incurred in attending meetings and transacting the business of the board.

Amend section 16 of article 3 of the bill by inserting between the word "institution" and "under" in line nine of said section, the following: "For negroes."

Amend section 25 of article 3 of the bill by striking out all of that part of said section which follows the words "official duties" where they occur in line seven of said section, and inserting in lieu thereof the following sentence:

The said State board of education is hereby empowered and directed to expend so much as it may deem proper of the amount set aside annually by the legislative enactment as a revolving fund for the use of the State board of education, provided that at least eighty (80) per cent of the amount appropriated, if used, shall be expended for lengthening public school terms and otherwise bettering conditions in rural schools, and provided further that any unexpended balance at the end of any fiscal year shall be placed to the credit of the general education fund.

Amend setcion 26 of article 3 of the bill by striking out all of line one and the word "and" in line two of said section.

Amend section 1 of article 5 of the bill by striking out the words "State superintendent" in line twelve of said section and inserting in lieu thereof "A majority of the remaining members of the county board," and by adding at the end of said section the following: "in the event the vacancy is not filled by the remaining members of the county board within thirty days, the State superintendent of education shall fill such vacancy."

Amend section 18 of article 5 by adding at the end of said section the following: "which statement shall contain an itemized account of all receipts and expenditures of said board."

Amend section 20 of article 6 of the bill by striking out the word "shall" in line 6 of said section and inserting in lieu thereof, "may in its discretion."

Amend section 1, of article 6 by adding after the word "education" where said word appears in said section immediately following the words "equivalent to such," and immediately preceding the words "and in addition," the following: "or who does not hold a first grade or life certificate."

Amend section 3, article 7, (page 35). Strike out word "unanimous," where it appears the first time in said section.

Amend section 3, article 7, by striking out, after the words "refused," on line 14, the remaining part of the section, and inserting a period after the word "refused."

Amend article 7 of Senate bill No. 470 by striking therefrom section 5 of same article.

Amend section 15 of article 8 of the bill by adding at the end of said section the following: "and the city council or commission shall call the election at the time requested in said petition."

Amend section 19, article 8, of Senate bill 470, by adding the word "School" after the word "current" and before the word "revenues" in the last line of said section.

Amend section 22, article 8 of Senate bill 470, by adding at the end of said section the following "and the amount expended and for what purpose."

Amend section 6 of article 10 by adding at the end of said section the following: "the right of appeal from the action of the county board of education in the apportionment of school funds in accordance with this section shall lie to the State board of education, such appeal to be made in accordance with the rules and regulations formulated by the State board of education."

Amend by striking out all of section 2 of article 13 of the bill and inserting in lieu thereof the following:

Section 2. The funds so set apart for any county shall be paid out of the special legislative appropriation for that purpose and shall be expended by the county board of education as in the opinion of said county board will best promote the cause of education in said county.

Amend section 5 of article 15 of Senate bill 470, by adding after the word "created" and before the word "who" the following words: "who shall reside in the district and."

Amend section one, article 15, of page 61, Senate bill 470, by striking out the words "one hundred and twenty (120)," where they occur in lines 19 and 20 and insert in lieu thereof the words "one hundred (100) days."

Amend section 3 of article 16 of the bill by striking out all of said section and inserting in lieu thereof the following:

Section 3. The certificates hereafter to be granted shall be those now prescribed by law, and such professional and special certificates as the State board of education may authorize and prescribe; provided that the issuance of third grade certificates may be discontinued whenever the best interests of the schools may seem to require it.

Amend section 14 of article 16 of the bill by striking out all of said section and inserting in lieu thereof the following:

Section 14. The fees paid by applicants in accordance with sections 8 and 10 of this article shall be certified at least monthly into the State treasury to the credit of the general educational fund by the State superintendent of education, and the State board is authorized to expend so much of the legislative appropriation as may be necessary to carry out the provisions of this article, including the employment of necessary professional and clerical help, the purchase of necessary equipment and supplies, and other expenses incident thereto. When it shall be necessary to draw in the special legislative appropriation for the purposes set out in this article, the State superintendent of education shall make requisition on the State auditor who shall issue his warrant on the State treasurer for the amount for which requisition is made.

Amend by striking out section 8 of article 17 of the bill and inserting in lieu thereof the following:

Section 8. The annual legislative appropriation for the purpose of carrying out the provisions of this Act, or so much thereof as may be necessary, shall be used for the training of teachers in service including extension, institute and reading circle work, the necessary salaries of professional and clerical help and for such other related purposes as may be necessary to make this Act of the greatest benefit to the schools of the State, and the State auditor upon requisition of the State superintendent of education shall issue his warrant on the State treasurer for the amount for which requisition is made.

Amend by striking out section 1 of article 18 of the bill and inserting in lieu thereof the following:

Section 1. The fund for the erection, repair and equipment of rural schoolhouses shall consist of the annual legislative appropriations and of unexpended balances as provided by law.

Amend section 2 of article 18 of the bill by striking out lines 8, 9, 10, 11 and the part of line 12 of said section down to and including the word "article," and inserting in lieu thereof the following:

"And the special legislative appropriation of eighty-seven thousand five hundred (\$87,500) dollars annually for the quadrennium beginning October 1, 1919, and ending September 30, 1923, is made a part of rural schoolhouses."

Amend by striking out all of section 1 of article 20 of the bill and inserting in lieu thereof the following:

Section 1. The rural library fund shall consist of the annual sum of one hundred (\$100) dollars for each county, in all sixty-seven hundred (\$6,700) dollars, as appropriated by law, which fund shall be used for the purpose of establishing and maintaining libraries in the rural schools of the State as provided by this article.

Amend by striking out all of that part of section 6 of article 21 of the bill which follows the word "act" in line four of said section.

Amend section 7 of article 21 of the bill by striking out line one of said section the words "under section 6 of this article" and inserting in lieu thereof the words, "by the State of Alabama."

Amend by striking out section 4 of article 22 of the bill and inserting in lieu thereof the following:

Section 4. For the employment of such professional and clerical assistants as may be necessary and for other necessary expenses, the State board of education is authorized to expend

the annual legislative appropriation and such other funds as may be available for the purpose set out in this article. The legislative appropriation shall be paid out upon the requisition of the State superintendent of education on the State auditor who shall issue his warrant upon the State treasurer for the amount for which requisition is made.

Amend section 2 of article 24 of the bill by striking out line 13 and all the remainder of said section, and inserting in lieu thereof the following:

Less than three thousand (\$3,000) dollars nor more than four thousand (\$4,000) dollars for each fiscal year.

Amend by striking out section 6 of article 24 of the bill and inserting in lieu thereof the following:

Section 6. For the purpose of maintaining county high schools as provided in sections 1, 2, 3, 4, and 5, of this article, the State board of education is authorized to use the annual legislative appropriation provided by law, provided that all such funds shall be paid out upon requisition of the State superintendent of education upon the State auditor who shall draw his warrant on the State treasurer for the amount for which requisition is made.

Amend section 1 of article 25, of the bill by inserting between the words "schools" and "one-fourth" where they appear in line eight of said section, the following:

"and to the Northeast Alabama Agricultural and Industrial Institute at Lineville the sum of three thousand (\$3,000) dollars."

Amend section 2 of article 25 of the bill by striking out the word "six" where it appears in line two of said section, and inserting in lieu thereof the word "ten."

Amend by striking out section 3 of article 25 of the bill and inserting in lieu thereof the following:

Section 3. The ten schools mentioned in section 1 of this article shall on and after October 1, 1920, be known as State secondary agricultural schools, and shall receive an annual appropriation of forty-five hundred (\$4,500) dollars each, as provided in section 2 of this article. All of said schools shall receive an additional appropriation of three thousand (\$3,000) dollars each per annum on the following condition precedent: To erect a dormitory of not less than ten thousand (\$10,000) dollars in value, and on a site acceptable to the State board of education, shall be prescribed to the State for the use of said school free of all incumbrance, the said dormitory to conform to plans and specifications approved by the State department of education, and any county board of revenue, court of county commissioners,

city council or commission, is authorized to appropriate funds for the benefit of the secondary agricultural schools authorized under this article.

Amend section 1 of article 25 of the bill by striking out all of said section and substituting the following:

Section 1. The annual legislative appropriation for the fiscal year beginning October 1, 1919, for the support of the nine branch agricultural schools and experiment stations otherwise known as district agricultural schools located at Jackson, Clarke county, at Evergreen, Conecuh county, at Abbeville, Henry county, at Sylacauga, Talladega county, at Wetumpka, Elmore county, at Hamilton, Marion county, at Albertville, Marshall county, at Athens, Limestone county, at Blountsville, Blount county, and to the Northeast Agricultural and Industrial Institute at Lineville, shall be paid in quarterly installments on October 1st, January 1st, April 1st, July 1st to the secretary-treasurer for the maintenance and support of said school.

Amend section 2 of article 25 of the bill by striking out the entire section and inserting in lieu thereof the following:

"The annual legislative appropriation for the maintenance and support of the State secondary appropriation for the maintenance and support of the State secondary agricultural schools for the fiscal year beginning October 1, 1920, and thereafter, shall be paid quarterly on October 1st, January 1st, April 1st, July 1st to the secretary-treasurer of said schools.

Amend by striking out sections 3, 4, 5 and 6 of article 26 of the bill and inserting in lieu thereof sections 3 and 4 as follows:

Section 3. The State board of education is charged with the responsibility of directing the expenditure of the annual legislative appropriations for the support and maintenance of the State normal schools for white teachers located at Florence, Jacksonville, Livingston, Troy, Daphne and Moundville, and of the State normal school of colored teachers located at Montgomery. The State board of education is further charged with the responsibility of expending all special appropriations made to any or all of the above institutions, and of seeing that the conditions prescribed in the acts making the appropriations are fully complied with.

Section 4. All funds appropriated to the normal schools shall be paid upon requisition of the State superintendent of education upon the State auditor who shall draw his warrant on the State treasurer in favor of the treasurer of the school for the amount for which requisition is made.

Amend Senate bill No. 470, article 26, section 2, by adding thereto the following:

"Provided hereby that the State board of education shall so arrange the course of study for the State normal school located at Daphne, Baldwin county, Alabama, that its graduates after the increased appropriation for said school shall be allowed the same privileges for certificate exemption as that accorded the Class A normal schools of Alabama."

Amend by striking out all of article 27 and inserting in lieu thereof the following:

Article 27.

Alabama School of Trades and Industry.

Section 1. There is hereby created and established at Ragland, Alabama, the Alabama School of Trades and Industry for the education and training of white boys and young men in all the useful and industrial occupations and in the arts and sciences, and to enable the students of such institution to acquire education and training by employment a part or portion of their time, if necessary, while in school to pay all or a part of their board, lodging and tuition.

Section 2. The said school is hereby incorporated by this act under the name of "The Alabama School of Trades and Industry," with the right to have and use a corporate seal, to sue and be sued in such corporate name in any of the courts of this State of competent jurisdiction, as in the cases of natural persons.

Section 3. It shall be the duty of the governor upon the approval of this act, to appoint five trustees to serve until September 30, 1923, after which the entire management and control of such school shall be vested in the State board of education, who shall constitute a board of control for the said school. All vacancies shall be filled by appointment by the governor. The aforesaid trustees named in this act shall meet in the town of Ragland at such time as they may appoint, not more than ninety days after the approval of this act, and organize themselves into a board of control for said school by electing one of their members chairman and a secretary and treasurer, and such other officers as they think necessary, a majority shall constitute a quorum of such board for the transaction of business. The secretary and treasurer may be some one other than a trustees and the State superintendent of education and the governor of the State of Alabama are ex-officio members of the board of control.

Section 4. The board of control is hereby invested with full and ample authority to receive and accept for the use and benefit of such school all gifts, donations, devices and bequests of any and all money and real and personal property necessary and useful in carrying into effect the object and purposes of this act, and with the authority on the part of such board of control in the name of such corporation to sell and dispose of such property which, in the judgment of such board may aid in carrying into effect the objects of this act, and the building up and sustaining of such schools.

Section 5. The persons attending such school shall be taught and thoroughly trained in the useful occupations, arts and sciences with the concurrence and approval of such board.

Section 6. The board of control, aforesaid, is hereby invested with full, ample and sufficient power and authority to make and adopt all laws, rules and regulations not inconsistent with the laws of this State which may be necessary for the management, control and conduct of such school, and the business connected therewith.

Section 7. The said school shall be located at Ragland, Alabama, and on a lot or parcel of land containing an area of not less than one hundred (100) acres heretofore deeded to the Alabama School of Trades and Industry as incorporated under an act approved April 12, 1911. In order to make provision for the construction of the necessary school buildings and equipment for the Alabama School of Trades and Industry of Ragland, Alabama, the board of trustees is authorized to accept from public or private sources the sum of thirty thousand (\$30,000) dollars, to be expended for such purposes provided that when the full sum of thirty thousand (\$30,000) dollars shall have been placed to the credit of the board of control the special legislative appropriations of thirty thousand (\$30,000) dollars to be used for the construction and equipment of the necessary school buildings shall also be available upon the approval of the governor and shall be paid out upon the requisition of the State superintendent of education upon the State auditor who shall draw his warrant upon the State treasurer for the amount for which requisition is made.

Section 8. The annual legislative appropriation for the maintenance and support of the said school shall be paid in quarterly installments on October 1st, January 1st, April 1st, July 1st, upon requisition of the State superintendent of education upon the State auditor who shall draw his warrant in favor of the treasurer of the school for the amount to which the school is entitled.

Section 9. The said board of control shall be required to keep in a well-bound book or books a full and complete record of all

of the acts and doings under the provisions of this act, which record or records shall at all times in reasonable hours be open to public inspection for any and all persons interested in the same or in the school. The governor may at pleasure direct the State examiner of public schools to inspect and report on all money expended by such board under this act.

Section 10. The State superintendent of education, with the board of control of said school, shall prepare a course of study to be pursued in said school in keeping with the intents and purposes of this act.

Amend article 28 by striking out sections 1 and 5 of said article and inserting in lieu thereof the following:

Section 1. The Huntsville State Normal and Industrial School later changed to the Agricultural and Mechanical College for Negroes, shall hereafter be known as the Agricultural and Mechanical Institute for Negroes, and shall be under the direction and control of the State board of education.

Section 5. All appropriations that may be made to the Huntsville State Normal and Industrial School, or to the Agricultural and Mechanical College for Negroes, shall be available for the use of the said Agricultural and Mechanical Institute for Negroes and shall be paid out upon requisition of the State superintendent of education upon the State auditor who shall draw his warrant upon the State treasurer in favor of the treasurer of the school for the amount for which requisition is made.

Amend by striking out section 13 and 14 of article 30, of the bill and inserting in lieu thereof the following:

Section 13. The annual legislative appropriation for the support and maintenance of the Alabama Polytechnic Institute shall be paid out on requisition of the president and treasurer of said Polytechnic Institute, and the special appropriations for additional buildings and equipment shall be paid on the requisition of the president and treasurer of said Polytechnic Institute with the approval of the governor.

Amend by striking out sections 4 and 21 of article 31 of the bill and inserting in lieu thereof the following:

Section 4. The fund designated in the preceding section as the University fund consists of the sum of thirty-six thousand (\$36,000) dollars per annum as interest on the funds of the University of Alabama heretofore covered into the State treasury, for the support and maintenance of said institution and such further sum as may be appropriated by the Legislature.

Section 21. The corporation styled The Medical College of Alabama is dissolved and the institution known as the Medical College of Alabama is constituted the Medical Department of the

University of Alabama and shall hereafter be under the sole ownership, management and control of the board of trustees of the University of Alabama. All appropriations in money made for the aid of the Medical College shall inure to the benefit of the said Medical Department of the University of Alabama and shall be paid to the trustees of the University of Alabama for the use and benefit of said Medical Department, and any appropriation for the maintenance and equipment of the graduate school of medicine of the University of Alabama at Birmingham, Alabama, shall be paid by the State treasurer in equal quarterly installments on the first day of January, April, July and October, to the treasurer of the University of Alabama upon warrants drawn by the State auditor as warrants are drawn for other appropriations to the University of Alabama or to the board of trustees of the University of Alabama, but such money shall be used exclusively for the graduate school of medicine of the University of Alabama at Birmingham.

Amend by striking out section 2 of article 33 of the bill and inserting in lieu thereof the following:

Section 2. The summer school for teachers at the University of Alabama shall be maintained and supported by the annual legislative appropriation for that specific purpose.

And by striking out line 1 of section 3 and inserting in lieu thereof the following:

"The amount of the annual legislative appropriation shall."

Amend section 1 of article 34 of the bill by inserting between the words "of" and "to" in line four of said section, the following: "The governor who shall be chairman," and by striking out the word "chairman" in the last line of said section and inserting in lieu thereof the word "secretary."

Amend by striking out sections 9 and 10 of article 35 of the bill and inserting in lieu thereof the following:

Section 9. The annual legislative appropriation for the support and maintenance of the Alabama School for the Deaf shall be based upon the number of pupils enrolled on the first day of January of each year, and shall be drawn quarterly in advance by the treasurer of the board and disbursed as directed by the said board.

Section 10. The board of trustees must provide good and sufficient insurance payable to the State of Alabama upon the property of the State and under their control, and keep and maintain such property in good repair, and for this purpose shall expend so much as may be necessary of the annual legislative appropriation.

Amend by striking out section 4 of article 36 of the bill and inserting in lieu thereof the following:

Section 4. The annual legislative appropriation for the maintenance and support of the Alabama School for the Blind shall be based upon the number of pupils enrolled on the first day of January of each year and shall be drawn quarterly in advance by the treasurer of the board and disbursed as directed by said board.

Amend by striking out section 4 of article 37 of the bill and inserting in lieu thereof the following:

Section 4. The annual legislative appropriation for the support and maintenance of the Alabama School for Negro Deaf and Blind shall be based upon the number of pupils enrolled on the first day of January of each year, and shall be drawn quarterly in advance by the treasurer of the board and disbursed as directed by said board.

Amend by striking out section 18 of article 38 of the bill and inserting in lieu thereof the following:

Section 18. The annual legislative appropriation for the support and maintenance of the Alabama Boys' Industrial School shall be based upon an affidavit of the treasurer or other executive officer of said school made at the beginning of each quarter, showing the number of inmates of said school during the preceding quarter. The State auditor is authorized and directed to draw his warrant quarterly on the State treasurer in favor of the treasurer of the Alabama Boys' Industrial School for the payment of said amounts. Any special legislative appropriation for the purchase of land, for the erection and equipment of buildings, or for any other purpose shall be paid out under the authority of the board of directors, and the State auditor is authorized to draw his warrant on the State treasurer for the amounts of said appropriations upon requisition of the governor.

Amend by striking out section 8 of article 39 of the bill and inserting in lieu thereof the following:

Section 8. The per capita appropriation for the support and maintenance of the school shall be paid monthly upon the sworn statement of the president of the school and approved by the governor, out of the State treasury. The expenses for transporting any boys to the school, including the expenses of one guard, shall be paid out of the State treasury upon the sworn statement of the president of the school with the approval of the governor.

And by striking out that part of section 9 of said article beginning with the word "and" in line eight to the end of said section.

Amend section 16 of article 29 of the bill by striking out the said section and inserting in lieu thereof the following:

The annual legislative appropriation for the maintenance of the "Alabama Technical Institute and College for Women" shall be paid in quarterly installments on the first of October, January, April, and July of each fiscal year. The annual appropriation for the Summer School shall be paid on the first of July in each fiscal year, and the appropriation for the erection of buildings and equipment shall be paid as prescribed in the act making the appropriation.

Which amendment was adopted.

Yeas, 28; nays, 5.

Yeas:

Messrs:

Acker	Carlton	Gunter	Rogers (Lauderdale)
Beale	Carmichael	Harper	Rogers (Sumter)
Bedsole	Cowan	Kelly	Sims
Briscoe	Craft	Miller	Smith (Coosa)
Brown	Ellis	Moore	Smith (Lawrence)
Butler	Espy	Nance	Tally
Caffey	Griffith	Phillips	West

—28

Nays:

Messrs:

Huddleston	Morris	McDowell	Prestwood
Leith			

—5

Mr. Ellis offered the following amendment to said bill, to-wit:

Amend Senate bill 470 by striking out article 3 thereof, and by striking from the bill the words: "State board of education" whereof such words occur therein.

Mr. Carmichael moved to lay the amendment offered by Mr. Ellis on the table, which motion prevailed and said amendment was laid on the table.

Yeas, 20; nays, 13.

Yeas:

Messrs:

Acker	Caffey	Griffith	Rogers (Lauderdale)
Beale	Carmichael	Harper	Sims
Bedsole	Cowan	Kelly	Smith (Coosa)
Brown	Craft	Miller	Smith (Lawrence)
Butler	Espy	Nance	West

—20

Nays:

Messrs:

Baker	Huddleston	Morris	Prestwood
Carlton	Leith	McDowell	Rogers (Sumter)
Ellis	Moore	Phillips	Tally
Evins			

—13

PAIR ANNOUNCED.

Mr. Gunter announced that he and Mr. Bedsole were paired on this vote; that Mr. Bedsole, if present, would vote "yea" and he, Mr. Gunter, would vote "nay."

Mr. Tally offered the following amendment to said bill:

Amend section 15 of article 4 of Senate bill No. 470, by striking out the word and figure "six (6)" and inserting in lieu thereof the word and figure "seven (7)."

Mr. Smith of Coosa moved to lay the amendment offered by Mr. Tally on the table, which motion prevailed and said amendment was laid on the table.

Mr. Huddleston offered the following amendment to said bill:

Amend section 25, article 3, by striking out "Provided that at least 80% of the above appropriation, if used, shall be expended for lengthening school terms or otherwise bettering conditions in rural schools," and insert in lieu thereof the words: "Provided that the above appropriation, if used, shall be expended exclusively for lengthening school terms in rural schools."

Mr. Carmichael moved to lay the amendment offered by Mr. Huddleston on the table, which motion prevailed and said amendment was laid on the table.

Yeas, 21; nays, 13.

Yeas:

Messrs:

Acker	Caffey	Kelly	Sims
Beale	Carmichael	Miller	Smith (Coosa)
Bedsole	Cowan	Nance	Smith (Lawrence)
Briscoe	Espy	Phillips	Tally
Brown	Griffith	Prestwood	West
Butler			

—21

Nays:

Messrs:

Baker	Gunter	Leith	McDowell
Carlton	Harper	Moore	Rogers (Lauderdale)
Ellis	Huddleston	Morris	Rogers (Sumter)
Evins			

—13

Mr. Prestwood offered the following amendment to said bill: Amend section 24 of article 5 of Senate bill No. 470 by adding after the words "of the" where they appear the second time in said section and just before the word "county" the following: "School fund of the."

Which was adopted.

Yeas, 24; nays, 0.

Yeas:

Messrs:

Acker	Butler	Espy	Prestwood
Baker	Caffey	Griffith	Rogers (Lauderdale)
Beale	Carlton	Miller	Sims
Bedsole	Carmichael	Morris	Smith (Coosa)
Briscoe	Cowan	McDowell	Tally
Brown	Craft	Nance	West

—24

Nays:—None.

Mr. Morris offered the following amendment to said bill:

Amend Senate bill 470 by striking out article 5 thereof, and insert in lieu thereof the following:

"The general administration and supervision of the public schools and of the educational interests of such county, with the exception of cities of two thousand or more inhabitants according to the last or any succeeding Federal census, shall be vested in a county superintendent of education, who shall be elected by the qualified electors of the county, and who shall be himself a qualified elector of the county and the holder of a first grade certificate."

Mr. Briscoe moved to lay said amendment on the table, which motion prevailed and said amendment was laid on the table.

Mr. Acker offered the following amendment to said bill:

Amend article 7 by inserting section 5 to read as follows:

"Sec. 5. A majority of the board of school trustees shall have the power to fix a reasonable incidental fee with the approval of the county board of education to be paid by each pupil entering the school."

Which was adopted.

Yeas, 16; nays, 10.

Yeas:

Messrs:

Acker	Carmichael	Harper	Sims
Briscoe	Cowan	Kelly	Smith (Coosa)
Brown	Espy	Miller	Smith (Lawrence)
Caffey	Griffith	Nance	West

—16

Nays:

Messrs:

Baker	Craft	Leith	Prestwood
Butler	Evins	Morris	Tally
Carlton	Gunter		

—10

Mr. Brown offered the following amendment to said bill:

Amend article 14, section 1, to read as follows:

"Strike out the words "from two to four years" in lines 15 and 16 and insert in lieu thereof "four years."

Which was adopted.

Yeas, 20; nays, 0.

Yeas:

Messrs:

Acker	Carlton	Griffith	Sims
Baker	Carmichael	Harper	Smith (Coosa)
Brown	Cowan	Leith	Smith (Lawrence)
Butler	Craft	Morris	Tally
Caffey	Evins	Nance	West

—20

Nays:—None.

Mr. Morris offered the following amendment to said bill:

Amend section 3 of article 16 of Senate bill 470 by adding at the end thereof an additional sub-section numbered (12) as follows:

“(12). Provided that no certificate shall be granted as herein above provided until the person applying therefor shall have passed the examination provided for in section 2 of this article.”

Mr. Carmichael moved to lay said amendment on the table, which motion prevailed and said amendment was laid on the table.

Mr. Baker offered the following amendment to said bill:

Amend Senate bill No. 470 by striking out article 25 of said bill.

Mr. Smith of Coosa, moved to lay said amendment on the table, which motion prevailed and said amendment was laid on the table.

Yeas, 23; nays, 2.

Yeas:

Messrs:

Acker	Carlton	Griffith	Prestwood
Beale	Carmichael	Gunter	Sims
Briscoe	Cowan	Harper	Smith (Coosa)
Brown	Craft	Kelly	Smith (Lawrence)
Butler	Espy	Leith	Tally
Caffey	Evins	Miller	West

—23

Nays:

Messrs:

Baker	Prestwood
-------	-----------

—2

Mr. Carmichael offered the following amendment to said bill:

Amend by striking out section 3 of article 24 of the bill and inserting in lieu thereof the following:

Section 3. The sum of three thousand (\$3,000) dollars annually shall be available for each county high school heretofore or hereafter established and an additional sum not to exceed one

thousand (\$1,000) dollars, in multiples of two hundred fifty (\$250) dollars, shall also be available to any such county high school, conditioned upon an appropriation by the county board of education, board of revenue, or court of county commissioners, of at least twice the amount to be given by the State and the meeting of such requirements as may be prescribed by the State board of education. County boards of education, boards of revenue and courts of county commissioners are authorized to donate funds for the maintenance and support of county high schools, and for the purpose of meeting the conditions set out in this section, and to accept funds for such purposes from incorporated towns, special school districts, and from private individuals. All appropriations made by the State and by county boards of education, boards of revenue or courts of county commissioners shall be paid quarterly in advance and in accordance with the rules and regulations prescribed by the State board of education. The State board of education with the consent of the county board of education shall have the authority to discontinue any county high school and to deed the property to the party or parties that in the opinion of the State board of education are entitled to receive it, and the State board of education shall have the power to locate another high school in the county in which a county high school has been discontinued, upon the fulfillment of the conditions prescribed in this article.

Mr. Tally offered the following amendment to said amendment offered by Mr. Carmichael, to-wit:

Amend the amendment to section 3 of article 24 by striking out the words and figures: "Three thousand (\$3,000) dollars" and inserting in lieu thereof the words and figures: "Four thousand dollars (\$4,000.00)."

Mr. Carmichael moved to lay said amendment on the table, which motion prevailed and said amendment was laid on the table.

Yeas, 16; nays, 6.

Yeas:

Messrs:

Acker

Beale

Briscoe

Brown

Butler

Caffey

Carmichael

Cowan

Griffith

Kelly

Miller

Nance

Sims

Smith (Coosa)

Smith (Lawrence)

West

—16

Nays:

Messrs:

Carlton

Craft

Gunter

Harper

Leith

Tally

—6

And the amendment offered by Mr. Carmichael was then adopted.

Yeas, 22; nays, 0.

Yeas:

Messrs:

Acker	Carlton	Harper	Sims
Beale	Carmichael	Kelly	Smith (Coosa)
Briscoe	Cowan	Leith	Smith (Lawrence)
Brown	Craft	Miller	Tally
Butler	Griffith	Nance	West
Caffey	Gunter		

—22

Nays:—None.

And said bill, as thus amended, was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 20; nays, 5.

Messrs:

Acker	Caffey	Espy	Nance
Beale	Carlton	Griffith	Sims
Briscoe	Carmichael	Harper	Smith (Coosa)
Brown	Cowan	Kelly	Rogers (Lauderdale)
Butler	Craft	Miller	West

—20

Nays:

Messrs:

Evins	Leith	Prestwood	Tally
Gunter			

—5

ADJOURNMENT.

On motion of Mr. Acker and pursuant to joint resolution heretofore adopted, the Senate, at 8:30 P. M., adjourned until Monday morning at 10 o'clock A. M.

FORTY-FIFTH DAY.

Monday, September 15, 1919.

The Senate met pursuant to adjournment, Lieutenant Governor Miller presiding.

PRAYER.

By Rev. Dr. Jenkins, Doorkeeper of the Senate.

ROLL CALL.

Present:

Mr. President and

Messrs:

Acker	Cowan	Huddleston	Phillips
Baker	Craft	Kelly	Prestwood
Beale	Ellis	Leith	Rogers (Lauderdale)
Bedsole	Espy	Miller	Rogers (Sumter)
Briscoe	Evins	Moore	Sims
Brown	Griffith	Morris	Smith (Coosa)
Caffey	Gunter	McDowell	Tally
Carlton	Harper	Nance	West
Carmichael			

—33

JOURNAL.

On motion of Mr. Bedsole, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

INTRODUCTION OF BILLS.

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Acker:

S. 752. To fix the salaries of the chairman and two associate members of the State tax commission, and to prescribe the manner of payment of same.

Finance and Taxation.

By Mr. Sims:

S. 753. To authorize and empower the board of trustees of the district agricultural schools, by whatever name said schools may be called, or the State board of education, or other body having the control of said district agricultural schools, to sell, convey, or lease any real estate belonging to any said district agricultural school and not of need for the purposes of such schools.

Education.

By Mr. West:

S. 754. To change, alter or enlarge the corporate limits of the town of Inglenook, Jefferson county, Alabama.

Municipalities and Municipal Organizations.

By Mr. Harper:

S. 755. To amend section 29 of "An act to prescribe the qualifications of jurors and regulate the selection, drawing and summoning of jurors and prescribe the qualifications and provide for the appointment of jury commissioners and clerks of such commissions and regulate the empanelling of grand and petit juries in all the courts of this State."

Judiciary.

By Mr. Carmichael:

S. 756. To encourage the manufacture of air nitrates in the State of Alabama, by exempting from taxation the plants, products and other property of any person, firm or corporation acquiring either by lease or purchase, any factory or plant already built in this State, for the production and manufacture of atmospheric nitrogen.

Finance and Taxation.

By Mr. Evins (by request):

S. 757. To amend section 4219 of the Code of Alabama of 1907.

Judiciary.

By Mr. Rogers of Lauderdale (by request):

S. 758. To create the office of county law librarian, to prescribe his duties and to fix his compensation.

Finance and Taxation.

By Mr. Acker:

S. 759. To require the State income tax supervisor and certain officials under him to execute official bonds with surety for the faithful performance of their duties under the act entitled an act to provide for the general revenue of the State of Alabama, approved September, 1919.

Judiciary.

Also:

S. 760. To make the surety bond required of each of the several tax collectors of the State more secure by providing that such bond shall be and operate as a lien on the property of the tax collector's personal or individual sureties in cases where personal or individual sureties sign the bond, from the date of any default covered by the bond of any tax collector.

Judiciary.

By Mr. Briscoe:

S. 761. To require every State official, or official holding office under the authority of the State, and who is paid a salary

or receives pecuniary profit for his services as such official, and whose office or post of duty is located in the capitol building or in the city of Montgomery, to reside or live in or sufficiently near to the city of Montgomery as that such office or post of duty shall be reasonably accessible to him daily, and to provide for the impeachment or removal of such official on failure to comply with the requirements of this act.

Judiciary.

REPORTS OF COMMITTEES.

Mr. Acker, chairman of the Standing Committee on Judiciary, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Gunter:

S. 545. To confer upon boards of revenue in counties of this State having a population of not less than 82,000 and not more than 100,000 according to the latest Federal census the right to condemn lands or interests therein for the purpose of obtaining gravel or other road building material for the building and maintenance of public roads of the county, and to prescribe the procedure for same.

By Mr. West:

S. 527. To regulate the acquisition, disposition, possession and use of fire arms and ammunition in this State.

By Mr. Evins:

S. 494. To amend section 3361 of the Code of Alabama of 1907.

By Mr. Evins:

S. 493. To authorize the recording, acknowledgment or probate of bonds for title, or other written contracts, relating to lands and to prescribe the effect thereof.

S. 492. To amend section 2818 of the Code of Alabama, 1907.

By Mr. Evins:

S. 491. To amend section 1491 of the Code of Alabama.

By Mr. Griffith:

S. 462. To amend section 7628 of the Code.

By Mr. McDowell (by request):

S. 447. To prevent the tethering, tying out or staking out of any cow, calf, horse, mule, hog, goat, sheep or other live stock or animal upon any public road in this State or along the side of or so near to any public road that such animal so tethered, tied out or staked out may go upon the public road.

By Mr. Prestwood:

S. 445. To amend an act entitled, "An act to amend section 3910 of the Code," approved April 18, 1911.

By Mr. Sims:

S. 441. To amend section 4109 of the Code of Alabama.

By Mr. Craft:

S. 397. To authorize, regulate and prescribe the manner of summoning by registered mail witnesses and jurors in any and all proceedings in any and all courts in this State.

By Mr. Bedsole:

S. 391. To prohibit the changing, altering, erasing or obliterating factory numbers on motor vehicle tires, and to make the possession of such tires with the factory numbers thereon changed, altered, erased or obliterated, prima facie evidence that such tires were stolen, and that the person in possession thereof knew that such tires were stolen.

By Mr. West:

S. 333. To amend section 3615 of the Code of Alabama.

By Mr. Waddell:

H. 974. To further provide for the prevention and suppression of diseases and parasites, among cattle, horses, mules, asses and hogs, such as hog cholera, glanders, cattle fever tick, foot and mouth disease, and other infectious and communicable diseases and parasites by requiring all railroad cars in which animals are transported in Alabama, from points within the quarantined area as defined by the United States department of agriculture or by the State live stock sanitary board, to be cleaned and disinfected.

By Mr. Beale:

S. 697. To abolish all county courts and the office of deputy solicitor in all counties in the State of Alabama, in which there is but one circuit judge, which counties alone constitute a judicial circuit, and repealing all laws or parts of laws in conflict with the provisions of this act, and providing when this act shall take effect.

By Mr. Briscoe:

S. 688. To require in each county the probate judge or clerk of the board of revenue keeping the minutes of the court of county commissioners or board of revenue, as the case may be, and the county treasurer or, where that office is abolished, the custodian of the county funds, to make and publish an annual statement of the financial condition of the county, and to file a copy thereof with the State auditor, showing the financial condition of the county, including the assessed valuation of its prop-

erty, the amount of the constitutional limit of its indebtedness, and the rate of taxes levied general and special.

By Mr. Briscoe:

S. 679. To further provide for and regulate the safe keeping, care and custody of prisoners in jail, and to provide for the hygiene, sanitation, cleanliness, healthfulness, management and security of all jails including town and city jails, in towns and cities having a population or less than ten thousand, and to further prescribe and define the duties of the State prison inspector, and to provide for the compensation of deputy jailers, watchmen or guards in certain cases and under certain conditions.

By Mr. Briscoe:

S. 677. To amend section 7798 of the Code of Alabama 1907.

By Mr. Acker:

S. 670. To amend sections 3 and 4 of an act entitled, "An act to change the name of the railroad commission of Alabama to the Alabama public service commission, and to enlarge its authority, powers and jurisdiction," approved September 25, 1915.

By Mr. Tally:

S. 613. To authorize the introduction of certain evidence in the trial of all cases of homicide.

By Mr. Baker:

S. 616. To authorize the court of county commissioners in counties having a population of not less than 30,815, and not more than 30,915 according to the Federal census of 1910, or any subsequent census, to fix such commutation fee as they may deem proper, not to exceed ten dollars, to be paid by persons subject to work on the public roads in such counties in lieu of road work, and to repeal all laws in conflict with the provisions of this act.

By Mr. Acker:

S. 582. To authorize the appointment and employment of State parole agents for persons convicted of felonies and under parole by the governor or board of pardons, or under suspended sentence by the courts, to prescribe their duties and powers and to provide for their compensation, expenses and removal from office and to provide for a State organization to encourage persons interested in the reformation of such convicts to act as local parole agents, without compensation, but with necessary expenses to be paid.

Mr. Miller, chairman of the Standing Committee on Revision of Laws, reported that said committee, in session, had acted on

the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Gunter:

S. 692. To fix the salary of all judges of probate in all counties in this State which now have, or which may hereafter have a population of as much as eighty-two thousand people and less than two hundred thousand people according to the last Federal census or any such census which may hereafter be taken, who ~~are now or may~~ hereafter be paid on a salary basis, and also for clerical help and other expenses and to provide for payment thereof.

Mr. Prestwood, chairman of the Standing Committee on Constitution and Constitutional Revisions and Amendments, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit: By Mr. Jones of Montgomery:

H. 98. To submit to the qualified voters of Alabama, at a special election to be held ninety days after the final adjournment of the Legislature of Alabama and upon the call of the governor, for their consideration an amendment to the Constitution of Alabama in substance and to the effect that certain persons who served in the military or naval service of the United States for a period of not less than four months between January 1, 1917, and November 11, 1918, shall be exempted from the payment of all poll taxes until September 30, 1919.

Mr. Brown, acting chairman of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. West:

S. 429. To make an appropriation for the support and maintenance of the Alabama tuberculosis commission, created and incorporated under and by virtue of a certain act of the Legislature of Alabama, and approved September 22, 1915, entitled: An act to prevent the spread of tuberculosis by the creation of a tuberculosis commission, to provide for its organization and work, and to authorize the erection and maintenance of local hospitals under its supervision.

By Mr. Kelly:

S. 564. To authorize the court of county commissioners or Board of revenue in all counties in this State having a population

of not less than eighteen thousand, eight hundred and eighty-nine and not more than eighteen thousand, eight hundred and ninety, according to the last preceding Federal census, to furnish to the sheriff in his county an automobile to be used by the sheriff in the discharge of his duties as sheriff, and to pay all expenses of operating said automobile, and of keeping the said automobile in repair.

By Mr. Bedsole:

S. 560. To provide for the payment of any fee or reward that is made payable by statute to any person who furnished the evidence that brought about the conviction of a person charged with unlawfully distilling or manufacturing or making prohibited liquors and beverages.

By Mr. Carmichael:

S. 689. To amend section 1780 of the Code of Alabama of 1907.

By Mr. Carmichael:

S. 690. To make an appropriation for the State board of education.

By Mr. Carmichael:

S. 691. To make appropriations to the State department of education.

By Mr. Rogers of Sumter:

S. 696. To fix the salary of the judge of the county court in all counties having a population of not less than twenty-eight thousand six hundred and seventy (28,670) and not more than twenty-eight thousand seven hundred and twenty (28,720) according to the Federal census of 1910 and provide for the payment of the same.

By Mr. Acker:

S. 698. To require all county treasurers to receipt the dockets of all clerks, judges of probate, registers in chancery, sheriffs or any other officer of a court of record for all fees due the respective counties from said officers, where said officers now or may hereafter receive for their compensation a salary, and where said fees are due to be paid into the county treasury by said officers, and all fiduciary fees paid into the county treasury, as is provided by law.

By Mr. West:

S. 700. To make an appropriation for the rebuilding of the Ninth District Agricultural School now located by law at Blountsville, Blount county, in this State.

By Mr. West:

S. 701. To provide for the relief of L. F. Jackson and to authorize the payment to him of the sum of one hundred dollars

out of the fine and forfeiture fund of Jefferson county, same having been paid by him upon the forfeiture of a bond of Judge Morrow.

By Mr. Kelly:

S. 709. To provide a fund out of which the salaries of the judges of the county court shall be paid, and to fix the amount of such salaries in counties having a population of more than eighteen thousand and less than eighteen thousand three hundred, according to the Federal census of 1910 or any subsequent Federal census.

By Mr. Kelly:

S. 710. To amend subdivision 84 of section 361 of an act to provide for the general revenue of the State of Alabama, approved September 10th, 1919.

By Mr. Butler:

S. 711. To amend sections 23, 24, 28, 29 and 33 of an act entitled "An act providing for the registration, licensing, identification and regulation of motor vehicles operated upon the public highways of this State; and fixing liability for persons riding therein, and providing penalties and punishments for violations of the provisions of said act, approved April 22nd, 1911.

By Mr. Carmichael:

S. 712. To make appropriations to the Alabama Girls' Technical Institute.

By Mr. Carmichael:

S. 713. To make appropriations to the University of Alabama.

By Mr. Carmichael:

S. 714. To appropriate the sum of \$7,500.00 to supplement a fund of \$15,000.00 to be raised by the citizens of Blountsville to rebuild the Ninth District Agricultural School building, recently destroyed by fire.

By Mr. Carmichael:

S. 715. To make appropriation for the maintenance and support of the State Training School for Girls, and for the erection and equipment of buildings and furniture and equipment therefor.

By Mr. Carmichael:

S. 716. To provide for making appropriations to the Alabama Polytechnic Institute.

By Mr. Carmichael:

S. 721. To provide for appropriation to the Alabama School of Trades and Industries at Ragland.

By Mr. Carmichael:

S. 717. To make appropriations to the Alabama Boys' Industrial School.

By Mr. Carmichael:

S. 718. To amend section 1952 of the Code of Alabama of 1907.

By Mr. Carmichael:

S. 719. To amend section 1946 of the Code of Alabama of 1907.

By Mr. Carmichael:

S. 720. To amend sections 1941 and 1942 of the Code of Alabama of 1907.

By Mr. Carmichael:

S. 722. To make an appropriation to the Alabama illiteracy commission or to the State board of education, if created, for the removal of illiteracy in Alabama.

By Mr. Carmichael:

S. 723. To make an appropriation for the benefit of those counties that may be levying and collecting a special county school tax during any fiscal year, and to provide for the expenditure of the funds set apart for any county by the county board of education.

By Mr. Carmichael:

S. 724. To make an appropriation for the establishment of libraries in the rural, village and town schools of Alabama.

By Mr. Carmichael:

S. 725. To amend section 8 of an act "To provide for the acceptance of the benefits of an act by the Senate and House of Representatives of the United States of America in Congress assembled, to provide for the promotion of vocational education; to provide for the appointment of a State board of vocational education; and to provide for the duties thereof; and to make appropriations for vocational education," approved February 15, 1919.

By Mr. Carmichael:

S. 726. To amend an act entitled an act "To create and establish a reform school for the training of juvenile negro law-breakers at Mt. Meigs, Alabama; to make appropriations for the purpose, and accept by donation all such lands and buildings as are needful therefor; to create a board of trustees, and to provide for the suitable management of said institution." Approved April 24, 1911.

By Mr. Carmichael:

S. 727. To provide for changing the name and for making an appropriation to the Huntsville State Normal and Industrial School, to be known as the Agricultural and Mechanical College for Negroes.

By Mr. Carmichael:

S. 728. To change the name of the Northeast Alabama Agricultural and Industrial Institute at Lineville and to make an appropriation for its maintenance and support.

By Mr. Carmichael:

S. 729. To change the name of each of the nine branch district agricultural schools and experiment stations and to make appropriations for their maintenance and support.

By Mr. Carmichael:

S. 730. To make an appropriation for the maintenance and supervision of county high schools.

By Mr. Carmichael:

S. 731. To make an appropriation to the State board of education.

By Mr. Carmichael:

S. 732. To make an appropriation for the erection, repair and equipment of rural schoolhouses.

By Mr. Carmichael:

S. 733. To amend section 1780 of the Code of Alabama of 1907.

By Mr. Carmichael:

S. 734. To make appropriations to the State department of education.

By Mr. Carmichael:

S. 735. To make an appropriation to Tuskegee Normal and Industrial Institute.

By Mr. Carmichael:

S. 736. To make an appropriation for the State normal school for colored teachers located at Montgomery.

By Mr. Carmichael:

S. 737. To make appropriations to the State normal schools for white teachers located at Florence, Jacksonville, Livingston, Troy, Daphne and Moundville.

By Mr. Carmichael:

S. 738. To make an appropriation to the public schools.

By Mr. Acker:

S. 739. To amend section 692 of the Code of Alabama. (Making appropriation for the maintenance of the Geological Survey.)

By Mr. Acker:

S. 740. To amend an act to provide a stenographer for the Supreme Court reporter, to fix the salary of same and to make appropriations to pay such salary, approved April 24, 1911 (Acts 1911, p. 723).

By Mr. Acker:

S. 741. To amend section 5982, Code 1907.

By Mr. Acker:

S. 742. To amend section 5993 Code 1907 as amended by an act approved November 23, 1907.

By Mr. Acker:

S. 743. To amend section 52 of the Code of Alabama of 1907.

By Mr. Acker:

S. 744. To amend section 79 of the Code of Alabama of 1907.

By Mr. Acker:

S. 745. To amend section 5992, Code 1907.

By Mr. Acker:

S. 746. To amend an act to better secure the administration of the financial affairs of the State in respect to expenditures and appropriations; and for that purpose to establish a State budget commission, and prescribe rules and regulations governing the same, approved February 11, 1919, by adding thereto a provision for the payment by the State for the services of the members of the State budget commission.

By Mr. Acker:

S. 748. To make appropriations for the ordinary expenses for the executive, legislative and judicial departments of the State for the interest on the public debt and for the public schools.

By Mr. Acker:

S. 747. To provide for the creation, equipment and maintenance of a poultry division as a part of the animal husbandry department of the Alabama Polytechnic Institute and Experiment Station; for the purpose of conducting experiments and demonstrations to determine the best breeds, methods of housing, feeding and marketing of poultry; for giving the students in agriculture adequate and necessary instructions in poultry husbandry; to make appropriations for these purposes and to prescribe the method of drawing and spending same.

By Mr. Acker:

S. 749. To provide for the purchase or condemnation of a site and the erection of a building thereon for a Pasteur Institute and laboratory and the purchase of necessary or proper equipment therefor and to make appropriation for such purposes.

By Mr. Acker:

S. 750. To fix the compensation of the several State executive officers, officers of departments and boards, subordinate officers, clerks, watchmen and capitol servants.

By Mr. Griffith:

S. 751. To authorize the secretary of State to purchase six hundred and fifty copies of Acuff's Supplement to Code of Alabama (1907), for distribution as provided by this act.

Mr. West, chairman of the Standing Committee on Local Legislation, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Carlton:

S. 704. To provide that in all the counties of the State of Alabama, having a population of not less than 39,920 nor more than 39,925 according to the last preceding or any subsequent Federal census, that the interest on all interest-bearing warrants issued from and after the passage and approval of this act, by the court of county commissioners, board of revenue or other governing board of such counties, or by authority of such court of county commissioners, board of revenue or other governing board of such counties, shall be a preferred claim against the general fund of such counties, shall be payable out of the general fund of such counties each year, and to provide the manner and time of the payment of such interest out of said general fund.

By Mr. Gunter:

S. 707. To vacate the dedication of all streets, roads, avenues and alleys through, over, on or across the following described property, situated in the county of Montgomery and State of Alabama, to-wit: Beginning at the half mile corner in the center of section ten (10), township sixteen (16), range seventeen (17); thence west twenty-one hundred forty-five (2,145) feet to the right of way of the Mobile & Ohio Railroad; thence along said railroad right of way north forty (40) degrees thirty (30) minutes west twenty-eight hundred two (2,802) feet; thence and continue with said railroad right of way north forty-two and one-half ($42\frac{1}{2}$) degrees west one hundred ninety-four (194) feet to a stake; thence north forty-nine (49) degrees thirty (30) minutes east twelve hundred forty-three (1,243) feet; thence north seventy-two and one-half ($72\frac{1}{2}$) degrees east six hundred three (603) feet; thence north forty-four (44) degrees east nine hundred sixty-two (962) feet to the Washington Ferry Road; thence along the west side of said road south fifty-three and one-half ($53\frac{1}{2}$) degrees east nine hundred (900) feet; thence and continue with said road south forty-five and one-half ($45\frac{1}{2}$) degrees east two hundred twenty-five feet; thence and continue with said road south thirty-nine (39) degrees thirty (30) minutes east five hundred (500) feet; thence and continue with said road south thirty (30) minutes east one hundred one (101) feet; thence and continue with said road south sixteen (16) degrees east five hundred (500) feet; thence and continue with said road south thirty (30) minutes east five hundred (500) feet; thence and con-

tinue with said road south twenty (20) degrees east one hundred eighty (180) feet; thence and continue with said road south twenty-seven (27) degrees east eighty-nine (89) feet to a stake; thence south (1) degree west five hundred eighty-one (581) feet to a stake; thence east three hundred seventy-seven (377) feet to a stake; thence south along the half section line five hundred eighty-seven (587) feet and to a point three hundred seventy-three (373) feet north of the said center of section ten (10); thence south fifty-seven and one-half ($57\frac{1}{2}$) degrees east ninety-four (94) feet; thence south eighty-six (86) degrees east eight hundred nineteen (819) feet; thence south fifteen (15) degrees east two hundred sixty-four (264) feet to a stake; thence west forty-one (41) feet; thence south fifteen (15) degrees east two thousand sixty-five (2,065) feet to the Selma road, thence along said road south seventy-five (75) degrees west five hundred seven (507) feet; thence south fifty-four (54) degrees west one hundred forty-two (142) feet along the said road; thence and continue the said Selma road south forty-four (44) degrees west five hundred forty-three (543) feet to the intersection of the right of way of the Mobile and Ohio Railroad; thence along and with the curvature of said railroad right of way north seventy-two (72) degrees west two hundred seventy (270) feet; thence and continue with said railroad right of way north sixty-five and one-half ($65\frac{1}{2}$) degrees west two hundred forty-five (245) feet to the half section line dividing section ten (10); thence north along said half section line twenty-four hundred twenty (2,420) feet to the center of section ten (10), township sixteen (16), range seventeen (17), the said point of beginning.

Mr. Prestwood, chairman of the Standing Committee on Constitution and Constitutional Revisions and Amendments, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate without recommendation, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Brown:

S. 623. To propose an amendment to section 256 of the Constitution of the State of Alabama, relating to the apportionment of the public school fund of the State; and providing for an election upon said proposed amendment.

By Mr. Jones of Escambia:

H. 435. To submit to the qualified electors of the State, at the general election to be held in November, 1920, for their consideration, an amendment to the Constitution for the purpose of authorizing the several counties of the State to levy and collect

a special road tax, not exceeding fifty cents, on each one hundred dollars worth of taxable property in such counties, under such regulations as the Legislature may have prescribed or may hereafter prescribe.

Mr. Acker, chairman of the Standing Committee on Judiciary, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with an adverse report, and they were severally read a second time and placed on the adverse calendar, to-wit:

By Mr. Prestwood:

S. 444. To suppress profiteering by requiring articles and commodities of merchandise and things sold or offered for sale to be so marked, or the cost and selling price thereof displayed or published that the purchaser, or prospective purchaser may ascertain the amount of profit demanded by the seller in the sale thereof and prescribing a penalty for failing to mark, falsely marking, falsely publishing, or falsely representing the cost of such articles, commodities, or things.

By Mr. Smith of Coosa (by request):

S. 519. To amend section 4007 of the Code of Alabama, 1907.

By Mr. West:

S. 502. To provide for the electrocution of persons sentenced to death.

By Mr. Acker:

S. 659. To provide that the costs in all civil proceedings at law or in equity in the courts of this State shall become due and payable thirty days after the service is rendered, and to authorize and regulate the issuance of execution therefor.

By Mr. Bsdsole:

S. 378. To prescribe a rule of evidence in actions of trespass, when the trespass is committed through or by an agent or servant of the defendant while acting within the scope of his employment.

By Mr. Briscoe:

S. 678. To further provide for and regulate the duties of the courts of county commissioners, or boards of revenue, in the purchase and preparation of food supplies for feeding prisoners under charge, or under conviction, of any indictable offense, confined in the county jails over which they have jurisdiction, and in making provision out of the county treasury for suitable food, clothing, lodging, medicine, and medical attention, for such of the convicts sentenced to jail, with or without hard labor for the county, as are not let to hire, under the provisions of article

5, chapter 191, of the Criminal Code of Alabama, and in the employment of such convicts, sentenced to hard labor for the county, as are ordered to labor on the public works of the county, and to further regulate and make provision for the reception, and safe-keeping and feeding of convicts while being conveyed to the penitentiary, and to further regulate the accounting and payment for feeding prisoners in the county jails.

Mr. Brown, acting chairman of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with an adverse report, and it was read a second time and placed on the adverse calendar, to-wit:

By Mr. Rogers of Sumter:

S. 551. To repeal an act entitled an act to require all the fees collected by sections 6655 and 6656 of the Code, in the county court to be paid into the county treasury; to provide a fund out of which the salaries of the judges of the county court shall be paid, and to fix the amount of such salaries," approved September 18th, 1915.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has passed the following Senate bills:

S. 170. Authorizing and empowering any county in this State in which, or along the coast of which the tides ebb and flow, and any cities or towns, or other municipalities in any such counties, to own, construct, lease and operate telectric street railways, interurban electric railways and electric lighting and power plants and hydro-electric power plants, and authorizing such counties and municipalities in this State to co-operate and combine and make contracts with each other and with municipalities in other states in the ownership, construction, leasing and operation of electric street railways, electric interurban railways and electric lighting and power plants and hydro-electric power plants; authorizing such counties and municipalities to acquire or lease existing interurban railways and street railway systems; authorizing such counties and municipalities to mortgage electric street railways and interurban railways and power plants and to pledge the revenues derived therefrom and to issue bonds, secured by such mortgages and pledges, providing for a system of allotting and prorating the cost of electric interurban railways; providing for the election of commissioners by such counties and municipalities to represent such counties or municipalities in the ownership, construction, leasing and management of interurban railways; providing that such commissioners shall keep a public rec-

ord of their proceedings and publish the same, and providing for the exercise of the right of eminent domain by counties and municipalities or by commissioners representing them; and to provide for elections in counties and municipalities to decide whether they wish to adopt the privileges herein authorized.

S. 573. To confer additional criminal jurisdiction on inferior courts or courts established in lieu of justices of the peace by whatsoever name called, on which courts criminal jurisdiction is now by law conferred, in counties having a population of over one hundred and fifty thousand, according to the last or any subsequent Federal census.

S. 547. To authorize municipal corporations having a population of not less than 6,689 inhabitants nor more than 7,000 inhabitants according to the last Federal census or any subsequent Federal census that may be hereafter taken to improve streets and sidewalks, and sections of streets and sidewalks, by the construction of electric lighting systems known as "White Ways," and charge the expense thereof to the abutting property owners, provided the cost of such construction shall not be in excess of the increased value of said property charged with such improvement, and provided such lighting system shall not apply to or include overhead lighting; and to provide for such municipal corporations to maintain such lighting systems after they have been established and to provide and pay for the cost of the current and expense of such maintenance thereafter.

S. 490. To close and abandon certain described portions of certain streets, avenues, alleys, etc., in the city of Sheffield, county of Colbert, and State of Alabama, and certain wharves, docks, landing places and other public places within the said city of Sheffield, county of Colbert and the State of Alabama.

S. 416. To designate a certain public road of Alabama as a State trunk road, and to provide the manner in which said road shall be improved and maintained.

S. 522. To amend an act entitled an act "To ratify, confirm, and validate the census of the cities and towns in the State of Alabama, of seven (7,000) thousand inhabitants and less, where the same has been taken as provided by the Code of Alabama of 1907, and the report of the same filed in the office of the Secretary of State," approved April 4th, 1911.

S. 516. To repeal an act entitled "An act to provide a better system of public roads for Chambers county."

S. 526. To provide for the appointment of deputy circuit solicitors in all circuits in this State having more than five circuit judges, to fix their compensation and to provide the way and manner of paying the same.

S. 417. To designate a certain public road of Alabama as a State trunk road.

S. 525. To regulate and define the power and jurisdiction of constables in all counties in the State of Alabama having a population of 200,000 or more, according to the last or any future Federal census.

S. 459. To alter or re-arrange the boundary lines of the city of Fairfield, Alabama.

S. 458. To alter or re-arrange the boundary lines of the city of Birmingham, Alabama, so as to exclude from the city of Birmingham certain territory now included in the corporate limits of said city of Birmingham.

S. 293. To amend section 928 of the Code of Alabama of 1907.

S. 503. To authorize and empower the solicitor, in all circuits in the State of Alabama, having five or more circuit judges, to employ any and all shorthand reporters necessary to properly report the proceedings before the grand jury, and transcribe the same, and stenographer, or stenographers, for the office work of such solicitor; and any and all assistants necessary to properly administer justice in such circuits; and to fix their compensation and the manner of payment of such compensation and salaries; and to incur any and all expense necessary to properly administer justice in such circuits.

S. 449. To designate a certain road a State trunk road in Cherokee county, Alabama.

S. 446. To provide that mechanics' and material men's lien and the right of enforcement thereof in Covington county, Alabama, shall attach and apply to property of a married woman where the service or labor is performed or the materials furnished with her knowledge and consent under a contract with the husband, and upon property owned jointly by husband and wife when the service or labor is performed or materials furnished under a contract with either or both, with the knowledge and consent of the other; to provide that no homestead right shall defeat such lien or the enforcement thereof; and to prescribe what shall be deemed to be consent within the meaning of this act.

S. 244. To repeal an act entitled "An act to make mandatory the working of the male county convicts of Covington county on the public roads, bridges and public works of said county, and providing therefor," approved September 10, 1915.

S. 267. To amend section 1 of an act entitled an act to designate certain public roads of the State of Alabama as State trunk

roads and to provide the manner in which such roads shall be located, improved and maintained, approved September 10, 1915.

S. 229. To amend section one of an act entitled, "An act to designate certain public roads of the State of Alabama as State trunk roads and to provide the manner in which such roads shall be located, improved, and maintained," approved September 10th, 1915.

S. 393. To regulate the fine and forfeiture fund of Pike county, Alabama, and provide for the registration and payment of claims against said fund.

S. 392. To provide for the payment of witnesses before the grand juries, and State witnesses in all criminal cases, and the fees and commissions of the sheriff and clerks of the circuit court and ex-officio clerk of the county court of Pike county, Alabama, in all criminal cases in which the State fails to convict, out of the general fund of said county.

S. 541. To divide the county of Marengo into four commissioners court districts; to provide for the election of one qualified elector residing in said district as county commissioner from said district, by the qualified electors of the entire county of Marengo.

S. 295. To authorize any bank or trust company incorporated under the laws of the State of Alabama to become a member of a Federal reserve bank, and in such event to be subject to all the provisions of the act of Congress known as the Federal reserve act and amendments thereto; to provide and define the reserves to be kept by banks and trust companies incorporated under the laws of this State which are or may become such members of the Federal reserve system; to permit the authorities of this State which supervise and examine banks and trust companies organized under its laws to accept the examination and audits made pursuant to the Federal reserve act of such banks and trust companies as become members of the Federal reserve system and to furnish information to the authorities of the Federal reserve system as such State banks.

S. 514. To amend an act to regulate inferior courts in cities having more than 35,000 population, according to the last or any subsequent Federal census, to prescribe the jurisdiction of such courts, and provide for the number and compensation of the judges for such courts and to provide for the appointment and compensation of the clerks and assistant clerks thereof, and to abolish the office of justice of the peace in such cities." The said act being approved Sept. 25, 1915.

And returns same herewith to the Senate.

Fred H. Gormley,
Clerk.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has originad and passed the following bills, and ordered same sent forthwith to the Senate without engrossment:

H. 191. To promote the public health, convenience and welfare by leveeing, ditching, draining and pumping out the water from the wet, swamp and overflowed lands, in all counties of Alabama having in them incorporated cities which now have or which may hereafter have a population of as much as fifty thousand and less than one hundred and twenty-five thousand people, according to the last Federal census, or any such census which may hereafter be taken, and providing for the establishment of levee or drainage districts for the purpose of enlarging or changing any natural water courses, and for digging ditches or canals for securing better drainage, or providing better outlets for drainage, for building levees or embankments and installing tide gates or pumping plants for the reclamation of overflowed and tidal lands, and prescribing a method for so doing, and providing for the assessment and collection of the costs and expenses of the same, and issuing and selling bonds therefor, and for the care and maintenance of such improvements, when constructed.

Also:

H. 890. To fix the salary of deputy solicitors serving in counties having a population of not less than 26,940 nor more than 27,000 according to the last preceding Federal census.

Also:

H. 951. To provide for the consolidation of two cities or towns whose boundaries touch with a third town or city not contiguous to either but whose boundary line is within one mile or less of the boundary of either of the others, so as to include within the consolidated city or town the territory between such cities or towns, prescribe the manner in which such consolidation may be had, to provide for the organization of the municipal government of the consolidated city or town, to provide for the payment of the debts of each of the consolidated cities or towns, the performance of the existing contracts of each of said cities and towns, and the disposition of the property of each of the consolidating cities or towns.

Also:

H. 763. To authorize the payment of all fees of solicitors in misdemeanor cases in certain counties into the county treasury for the use of the county.

Also:

H. 877. Allowing costs and fees to officers for the service of process from juvenile courts and for feeding prisoners committed by or held for or under such courts.

Also:

H. 801. To amend section 1 of an act entitled an act to designate certain public roads in the State of Alabama as State trunk roads and provide the manner in which such roads shall be located, improved and maintained, approved September 10th, 1915.

H. 947. To provide for a deputy watchman, or attendant for each jail and prison in all counties having a population of not less than thirty thousand nine hundred and seventy-five and not more than thirty-one thousand according to the last or any subsequent Federal census, whenever the court of county commissioners or court of like jurisdiction in said counties deem same necessary to the well-being of the prisoners confined in said jail or prison and shall by resolution duly passed require the sheriff to employ such deputies, warden or attendant and, to provide for the payment of his services, and to prescribe his duties.

Also:

H. 952. To amend an act approved September 10th, 1915, entitled, "An act to designate certain public roads of the State of Alabama as State trunk roads and to provide the manner in which such roads shall be located, improved and maintained," by adding an additional road thereto.

Also:

H. 926. To provide for the election of a county treasurer by the qualified electors of every county in this State, now having or which may hereafter have a population according to the last Federal census, or any Federal census hereafter taken, of not less than thirty thousand nine hundred and thirty-five, nor more than thirty thousand nine hundred and eighty.

Also:

H. 961. To confer final jurisdiction of bastardy cases on inferior courts or courts established in lieu of justices of the peace, by whatsoever name called, in counties having a population of 150,000 or more, according to the last or any subsequent Federal census.

Also:

H. 959. To authorize registers of the circuit courts in circuits composed of only one county and having two or more circuit judges, or counties, now or hereafter, having a population of over 100,000 according to the last Federal census, to grant decrees pro confesso on bills or supplemental bills which are in default for want of answer on any day, in term time or vacation, and to issue all orders of publication to non-residents or where the address of defendants is unknown, in term time or vacation; or to issue any other process necessary to bring the defendant

in to court, as now provided by law; and to issue writs of garnishment on judgments or decrees for payment of cost.

Also:

H. 893. To provide for and authorize the appointment of a special judge in circuits composed of only one county, and having more than three circuit judges in cases of incompetency of the regular judge, or his temporary inability to act.

Also:

H. 895. To provide for the payment of salaries by the county to circuit judges in circuits composed of only one county, and having more than three judges, in addition to the salary paid by the State.

Also:

H. 939. To confer additional criminal jurisdiction on inferior courts or courts established in lieu of justices of the peace by whatsoever name called, on which courts criminal jurisdiction is now by law conferred, in counties having a population of over one hundred and fifty thousand, according to the last or any subsequent Federal census.

Also:

H. 981. To amend sections 10 and 21 of the act of the Legislature of Alabama, entitled "An act to provide for the government by a commission of all cities in Alabama which now have, or which may hereafter have a population of one hundred thousand people, or more according to the last Federal census or any such census which may hereafter be taken, when such cities by an election adopt the provisions of this act; to provide for the selection and election of commissioners and their terms of office; to fix their powers, duties and compensation; to punish improper conduct in connection with the election of said commissioners, and to otherwise provide for the creation, conduct and maintenance of said commission form of government, and to repeal all laws and parts of laws in conflict with the provisions of this act," approved September 25, 1915, be amended so as to read as follows:

Also:

H. 860. To create the office of county solicitor in all counties having a population of not less than eighteen thousand one hundred and twenty-five and not more than eighteen thousand nine hundred according to the Federal census of 1910, and to provide for the election of such solicitor by the qualified electors of such counties and prescribe his qualifications and duties and fix his compensation.

Also:

H. 590. To regulate the office of tax collector in all counties of the State of Alabama which has a population of as much as

33,781 and not more than 33,800, according to the last Federal census and fix the compensation of such tax collectors and to provide for the payment thereof.

Also:

H. 657. To provide that when any city or town in this State has heretofore acquired, or may hereafter acquire, by purchase, assignment or otherwise, any mortgage on real estate, that such city or town shall have a lien on such real estate for the amount expended or advanced by it, with interest thereon, and may enforce such lien by appropriate proceedings in the equity side of the circuit court. ~~Provided that this act shall only apply to cities having 10,000 or more population according to the last or any subsequent Federal census.~~

And ordered same sent forthwith to the Senate without engrossment.

Also:

H. 995. To provide for the construction, care, maintenance, and improvement of the public roads of Franklin county; to provide funds, regulations, penalties, and officers to insure such constructions, care, maintenance and improvement; to provide a county superintendent of roads, prescribe his qualifications, method of selection, term of office, salary, duties, powers; to prescribe in general the records to be kept by said superintendent; to provide that the court of county revenue shall have full powers over the road system; to provide beat supervisors, sections, overseers, and other persons to carry out said work on the road system of the county; to prescribe the duties of individuals and corporations in regard to the enforcement of said road law.

And ordered same sent forthwith to the Senate without engrossment and with notice and proof attached and herewith exhibited, as follows:

LOCAL ROAD LAW.

There will be requested an introduction into the Legislature for the purpose of providing better roads in this county, Franklin, the following bill, which is outlined fully and the substance of the bill set out below. Anyone desirous of more information and explanation of said bill can secure same from complete copy which is in my office. This bill will secure a better system of roads, both providing protection of the present roads and enforcement of a road law, and supervision of all the road system. It is fair and equitable and enforceable and efficient.

AN ACT

To provide for the maintenance, improvement, care and construction of the roads and bridges of Franklin county; to provide and collect funds for the purposes enumerated above; to provide regulations, penalties and

records of such road law and road system; to provide and pay a superintendent of roads for said county; to provide officers, prescribe the duties, qualifications, and pay of all such officers and said superintendent of roads, and to provide adequate systems of records for such work and such officers.

Be it enacted by the Legislature of the State of Alabama:

That all persons subject to road duty shall be allowed to pay money compensation in lieu thereof at the amount of \$10.00; that said money shall be paid to the probate judge who shall furnish receipt therefor and make proper records thereof; that any delinquent shall be charged an additional amount of \$2.50; that any man electing to work shall file statement with the county superintendent of roads; that any person failing to pay, failing to file such statement, failing to pay the penalty for delinquency, shall be proceeded against as guilty of a misdemeanor, and shall be subject to a fine of not more than \$250.00 or six months in the county jail, one or both; that convicts may be worked on the roads by the court of county revenue, under proper regulations and conditions; that convicts may be hired to or hired from other counties and the State.

That funds shall be raised for the road system by a privilege license or tax upon the vehicles of the county, two or more horses, mules or oxen, used in commercial hauling, \$10.00; wagons using two or more animals for ordinary farm hauling, \$2.00; vehicles, drawn by animals, used for transportation of passengers for hire, \$3.00; vehicles drawn by a single animal and used for commercial hauling, \$2.50; vehicles kept for private or family use, such as buggy, surrey or one horse wagon, \$1.00; vehicles driven by steam, electricity, gas or other inanimate force on public roads, the percentage of tax allowed by the State law. That the tax collector of the county shall collect same; that the funds therefrom shall be placed in the hands of the legal custodian of the roads and bridge fund; that the funds therefrom shall be spent in the beat from which they are collected; that the tax collector shall issue a proper license upon payment of said privilege tax; that he will keep proper records of the same; that this tax shall be paid in money and shall not be paid in work; that the tax shall be increased 25 per cent for delinquency in payment thereof; that any person refusing to pay such tax shall be liable in the county court for the same, and all costs thereon accruing; that the said tax shall be collected at the time the general tax collections are made and that the tax collector shall be responsible to collect the same; that for each collection the collector shall be paid 25 cents.

That the court of county revenue shall have full charge and control, authority, power and means of providing for and caring for the road system of the county; that the board may transfer such funds as are deemed available and necessary from the general funds to the county road and bridge fund; that the county treasurer shall be custodian of such funds; that the probate judge shall give receipts for the payment of per capita taxes for roads; that he shall maintain adequate records thereof; that there shall be a county road and bridge fund in this county into which all money accruing from the road law, fines, forfeitures, shall be paid.

That the county board shall elect a competent engineer, qualified according to the highway engineer of the State, experienced in road building, to be county superintendent of roads at a salary of not more than \$1,800, payable out of the county road and bridge fund; that the county superintendent of roads shall make records, surveys, maps, investigate material, receive bids, supervise construction, repair, change, location, maintenance of public roads in the county; that he shall act under the general direction of the court of county revenue, and that he shall perform his duties capably and continuously; that he shall assist, encourage, and labor for road im-

provement; that he may select subordinates, apportion work, and do all the other acts and things that come within the scope of his office; that he shall do such private work as directed by the court of revenue, and turn all money therefrom into the road and bridge fund. That bids must be received for all work when contracted out amounting to as much as \$250.00. That no county official can bid on or receive a contract for work on the highways. That the county shall be divided into road beats and road sections; that beat supervisors and sections overseers shall be selected, duties assigned, and work supervised under control of the court of county revenue; that hands may be employed and overseers selected as the board and superintendent of roads may deem necessary; any man not over fifty years of age may be selected and paid for overseer or supervisor work. That the county superintendent of roads shall require accurate records kept of road hands, shall properly apportion them, with the assistance of the court of county revenue, or of the beat supervisors; that any person apportioned shall not change to another road unless permission is given by the county superintendent of roads, and the records of his apportionment are changed. That road supervisors and the county superintendent shall be under bond properly made and subject to forfeitures and fine. That assistance shall be rendered by the superintendent and the supervisors in enumerating and classifying all vehicles to the court of county revenue, and to the tax collector. That the form of indictment for failure to obey the road law as outlined in this law shall constitute sufficient indictment to state the cause of the State. That any corporation, firm, land owner or agent employing hands and failing to submit a certified list thereof shall be guilty of a misdemeanor and on conviction be fined not less than twenty nor more than seventy-five dollars. That any beat supervisor shall be subject to conviction and fine of not less than twenty dollars nor more than fifty dollars upon failure to perform his duty. That the court of county revenue shall pass rules and regulations for the maintenance of this road system as they deem necessary and which shall not be in conflict herewith. That all laws and acts in conflict with this act are hereby repealed.

Mason Douglass.
July 27, 1919.

I hereby certify that the Local Road Law, as attached herewith has appeared in the county paper, the Franklin Times, for four consecutive issues, the date of which are August 7, 14, 21 and 28; that the issues above mentioned carried an outline of the law as indicated by the issues herewith attached; that I am the editor of said paper for Franklin county. The said Franklin Times is published in Russellville, Alabama.

Sworn to and subscribed before me this 27 August, 1919.

John M. Clark.
Foster Gavin,
Notary Public.

Also:

H. 1039. To repeal an act entitled an act to provide for the construction, repairing, working and maintaining of the public roads of Russell county, Alabama, and to provide for the levying of a tax for the same and for punishing road defaulters, approved September 26th, 1903, Local Acts, 1903, page 355, et sequitor.

With notice and proof attached and herewith exhibited, as follows:

NOTICE.

"Notice is hereby given of the intention to apply to the present session of the Legislature of Alabama to repeal an act entitled an act to provide for the construction, repairing, working and maintaining of the public roads of Russell county, and to provide for the levying of a tax for the same and for punishing road defaulters."

Approved September 26, 1903, Local Acts 1903, page 355 et sequiter.

State of Alabama, }
Russell County. }

Before me, Mildred Minter, a notary public in and for said county and State, personally appeared W. H. Chadwick, known to me to be the publisher of The Russell Register, a newspaper published in Russell county, Alabama, who being by me first duly sworn on oath says that the attached notice of the intention to apply at the present session of the Legislature of Alabama to repeal an act entitled an act to provide for the construction, repairing, working and maintaining of the public roads of Russell county, Alabama, and to provide for the levying of a tax for the same, and for punishing road defaulters, approved September 26th, 1903, Local Acts 1903, page 355, et sequiter, was published in said newspaper for four consecutive times, to-wit: July 25th, 1919, August 1st, August 8th, and August 15th, 1919.

W. H. Chadwick.

Sworn to and subscribed before me this 1st day of September, 1919.

Mildred Minter,

Notary Public, Russell County, Ala.

Also:

H. 619. To create and establish a board of revenue in and for Morgan county, Alabama, in the place and stead of the commissioners' court now existing in said county, and abolishing said commissioners' court; to divide said county of Morgan into four districts, defining the boundaries thereof; providing that the present county commissioners shall be the members of said board of revenue for their unexpired term; fixing the term of office and providing for the election of subsequent members thereof; defining the jurisdiction of said board of revenue; fixing their compensation; conferring upon said board of revenue and the individual members thereof all the jurisdictions, powers, and authority granted by law to county commissioners and to commissioners' courts and boards of revenue in this State; authorizing the appointment by said board of revenue of a county auditor and a superintendent of public roads; providing for the holding of monthly meetings of said board of revenue beginning on the second Monday in each month; providing for the repeal of all laws in conflict with this act, and fixing the time when this act shall become operative.

With notice and proof attached and herewith exhibited, as follows:

NOTICE TO PUBLIC.

State of Alabama, }
 Morgan County. }

Notice is hereby given that application will be made to the present session of the Legislature of Alabama for the passage of a local law for Morgan county.

Creating and establishing a board of revenue for said county in the place and stead of the court of county commissioners now existing, and abolishing said court of county commissioners;

Dividing Morgan county into four districts, and prescribing the boundaries thereof; providing that the present county commissioners shall be the members of said board of revenue; fixing their terms of office and making their successors elective in the same manner and for the same time as county commissioners are now elected;

Making the probate judge a member of said board of revenue, and ex-officio president thereof, conferring on him the same duties as now prescribed by law for probate judges as members of the court of county commissioners in this State, and such other duties as the board may prescribe, not inconsistent with the laws of Alabama;

Defining and prescribing the jurisdiction of said board and the members thereof, fixing their compensation, conferring on said board and the members thereof all the powers and authority conferred by law upon commissioners courts and the members thereof;

Authorizing the appointment by said board of a county auditor, and a superintendent of public roads, providing for the holding of monthly terms of said boards meetings beginning on the second Monday in each month; and

Providing for the repeal of all laws in conflict with this act, and providing when this law shall become operative.

State of Alabama, }
 Morgan County. }

Before me, L. P. Troup, judge of probate in and for said county in said State, this day personally appeared W. R. Shelton, who being duly sworn, deposes and says:

I am the publisher and business manager of the Albany-Decatur Daily, a daily newspaper published in Albany, Morgan county, Alabama, of general circulation in said county. That the annexed advertisement of notice, that application would be made to the present session of the Legislature of Alabama for the passage of a local law for Morgan county, creating and establishing a board of revenue for said county in the place and stead of the court of county commissioners, and abolishing said court of county commissioners, was published regularly each week in said newspaper for four consecutive weeks, the dates of the issues of said paper in which said notice appeared being January the 18th, January the 25th, February the 1st, and February the 18th, all in the year 1919, and that said publication was made without cost or expense to the State of Alabama, or the county of Morgan.

W. H. Shelton.

Sworn to and subscribed before me this 19th day of July, A. D., 1919.

L. P. Troup,
 Judge of Probate.

Also:

H. 665. To establish a county court for Morgan county; to define its jurisdiction and powers; to provide for its officers,

their powers, duties and compensation; to provide that the said court shall be open at all times for the trial of cases and transaction of business; prescribing rules and procedure of said court; and to provide for the transfer of certain causes now or hereafter pending in the circuit court of Morgan county to the Morgan county court.

With notice and proof attached and herewith exhibited, as follows:

NOTICE.

Notice is hereby given, that a bill will be introduced at the present session of the Legislature of Alabama to establish in and for Morgan county, Alabama, a court to be called the Morgan county court, to create and define its jurisdiction, to provide for its officers, their powers, duties and compensation; to fix the terms of said court; to provide for the transfer of all misdemeanors now on the circuit court docket in said county to said court, and for the transfer to said court of all misdemeanor cases which may hereafter be returned by indictment into the circuit court, and to provide for the transfer by agreement of parties all civil suits pending on said docket where the amount involved does not exceed the jurisdiction of said court; and to prescribe rules and procedure for said court.

State of Alabama, }
Morgan County. }

Before me, T. C. Almon, a notary public in and for the county and State aforesaid, this day personally appeared C. J. Hildreth, who being by me first duly sworn, deposes and says that he is the editor, manager and publisher of the Albany Advertiser, a newspaper published in the town of Albany, Morgan county, Alabama, and that the above and foregoing notice has been published every week for four consecutive weeks in said newspaper prior to this date.

Sworn to and subscribed before me this the 19th day of July, 1919.

C. J. Hildreth,
T. C. Almon,
Notary Public.

Also:

H. 973. To create the office of county treasurer for Shelby county and to provide for his election and the filling of vacancies, to prescribe his duties and compensation.

With notice and proof attached and herewith exhibited, as follows:

NOTICE.

To Whom It May Concern:

Notice is hereby given of the intention to apply to the Legislature of Alabama, to convene in the city of Montgomery, Alabama, on the 8th day of July, 1919, for the passage of a bill entitled "An act to create the office of county treasurer for Shelby county, to provide for his election and the filling of vacancies, to prescribe his duties and compensation."

The bill will contain in substance the following provisions:

AN ACT

To create the office of county treasurer for Shelby county, to provide for his election and the filling of vacancies, to prescribe his duties and compensation.

Be it enacted by the Legislature of Alabama:

1. That the office of county treasurer is hereby created for Shelby county. That such officer shall be elected by the qualified voters of said county, at the general election to be held in the year 1920, and every four years thereafter, and shall hold office for four years from the first Monday after the second Tuesday in January next after his election and until his successor is elected and qualified.

2. That vacancies in the office of such treasurer shall be filled by appointment by the board of revenue of said county, and the person appointed shall hold office for the unexpired term and until his successor is elected and qualified.

3. Until such treasurer is elected in the year 1920 and duly qualified, the said office shall be filled by appointment of the board of revenue and said appointee shall hold the office of treasurer under the terms of this act.

4. Before entering on the duties of his office such treasurer shall give bond with at least two good and sufficient sureties, or with a duly qualified surety company, in double the value of the estimated amount of the annual revenue of the county to be determined by the board of revenue of said county, payable to the county, and conditioned as prescribed by law, which bond is to be approved by the judge of probate of said county and filed and recorded in his office; and the board of revenue of said county shall require an additional bond whenever any special fund is to be received by the treasurer, and pay the premium therefor.

5. It is the duty of such treasurer: (a) To receive and keep the money of the county and disburse the same according to law. (b) To pay out the general fund of the county on presentation and without being allowed and audited by the board of revenue all grand and petit juror certificates. (c) To keep in well bound books separate registers of claims presented against the general fund and the special fund, if any. (d) To number and register in the order in which they are presented all claims against the general fund which have been audited and allowed by the board of revenue as claims against said fund, such register showing the number of the claim, the date presented for registration, to whom allowed, when allowed, the character of the claim and the amount thereof; and except as otherwise provided by law to pay the same in the order of their registration. He must in like manner number, register and pay all claims allowed against a fund raised for a special purpose. (e) Upon the registration of a claim he must endorse thereon the number and date of registration and sign his name thereto. (f) When a claim is received in payment of a debt due the county he must give a receipt therefor showing a description of the claim and the name of the person and character of the debt of whose account the claim was received. (g) On the payment of any claim he must take a receipt therefor; and when a claim of any character is paid or received by him he must cancel the same by defacing or mutilating it so as to show that it is of no further value, and if registered, write upon the register against the claim the word paid and the date of such payment. (h) To keep a correct account of the receipts and disbursements of all money received by him for the county, according to the forms prescribed, by the board of revenue, charging himself with all moneys so received, of whom, on what account, and the amount and crediting himself with all payments, stating the number and character of the claim, in whose favor and the amount. (i) To examine the dockets of the circuit court or court of like jurisdiction and the sheriff, semi-annually; to demand and receive all moneys due the county and to institute proceedings against defaulters. (j) To submit to the board of revenue at the first term in each year the register of claims; his accounts for the year balanced; vouchers for the payment; and estimate of the indebtedness of the county for the

coming year and the means of providing for the same. (k) To make reports and give information to the board of revenue when required respecting all matters relating to the finances of the county. (l) To keep safely all property of the county which may be committed to his care by the board of revenue. (m) To furnish the president of the board of revenue in January of every year a verified statement of all moneys received by him for the county during the preceding year and of all claims received by him in lieu of money which are receivable in payment of county taxes, which statement must designate the time and person from whom such moneys or claims were received. (n) of said county. (o) To perform such other duties as are or may be required by any law, general or special, of the treasurer of said county or of the custodian of county funds by whatsoever name designated.

6. The county treasurer must not refuse the payment of any lawful and valid claim for the reason that the claims of prior registration have not been paid if there is money in the treasury belonging to the fund sufficient to pay such prior claims and the claim so presented.

7. The books of such treasurer are to be provided at the expense of the county.

8. The annual account of such treasurer when examined and approved by the board of revenue must be recorded and a copy of the same posted at the court house door.

9. The judge of probate must each year without giving any notice or information thereof to the county treasurer, appoint one expert accountant of known integrity to examine the books and vouchers of such treasurer and report the condition of the same; and the person so appointed shall proceed without delay to make such examination and report and to that end he is invested with all powers and authority conferred by law upon the examiner of such public accounts. He shall receive such compensation as may be allowed by the board of revenue.

10. In case of the resignation, expiration of his term or removal from office, the county treasurer, or if he is dead, his personal representative, must state his account and deliver all the money, books, papers and property of the county to his successor, who must report the same to the board of revenue held next thereafter and if satisfied that such account is correct and that all money, books, papers and property of the county have been delivered to such successor such board of revenue must cause an entry thereof to be made of record.

11. The county treasurer shall receive an annual salary of fifteen hundred (\$1,500.00) dollars, payable monthly out of the county treasury upon warrant issued by authority of the board of revenue.

12. That all laws and parts of laws in conflict with the provisions of this act be and the same hereby are repealed.

State of Alabama, }
Shelby County. }

Before me, G. W. Weaver, judge of the probate court of Shelby county, personally appeared J. F. Norris, who being by me first duly sworn, deposes and says, that he is the editor of the People's Advocate, a newspaper published in Shelby county, Alabama, at Columbiana, Alabama. And that said paper is published each week, and that said paper has a general circulation in and out of said county of Shelby, and that an "Act entitled an act" to re-establish the office of county treasurer for Shelby county, Alabama, and provide for his election, and the filling of vacancies. To provide his duties and compensation, has been advertised in said People's Advocate, the following

issues, to-wit: July 24th, 1919; July 31st, 1919; August 7th, 1919, and August 14th, 1919, respectively.

J. F. Norris,
Editor People's Advocate.

Sworn to and subscribed to before me this 15th day of August, 1919.

G. W. Weaver,
Judge of Probate, Shelby County.

Also:

H. 798. For the relief of E. R. Bradford.

With notice and proof attached and herewith exhibited, as follows:

NOTICE.

Notice is hereby given that application will be made to the present session of the Legislature of Alabama for the relief of E. R. Bradford, surety on the bond of Johnson Hall.

E. R. Bradford.

Linden, Alabama, June 12, 1919.

State of Alabama, }
Marengo County. }

Before me, S. W. Compton, a notary public in and for said State and county, personally appeared R. E. Sutton, who is known to me and who being by me first duly sworn, deposes and says that he is editor of the Democrat-Reporter, a newspaper published at Linden, in Marengo county, Alabama, and that the notice hereto attached is a true copy of a notice which was published in the said Democrat-Reporter on the twelfth, nineteenth and thre twenty-sixth days of June, 1919.

R. E. Sutton,
Editor Democrat-Reporter.

Sworn to and subscribed before me this the twenty-fourth day of July, 1919.

S. W. Compton, Notary Public.

Also:

H. 943. To regulate and prescribe the manner of electing county commissioner of Talladega county.

With notice and proof attached and herewith exhibited, as follows:

NOTICE.

Notice is hereby given of intention to apply to the Legislature of Alabama now sitting, for the passage of a local law for Talladega county, Alabama, the substance of which is as follows:

An act to regulate and prescribe the manner of electing county commissioners of Talladega county.

Sec. 1. Be it enacted by the Legislature of Alabama, that from and after the passage of this act that the county commissioners of Talladega county shall be elected in the following manner, viz.: The commissioner from the first district shall be elected by the qualified voters of such district; the commissioner from the second district shall be elected by the qualified voters of such district; the commissioner from the third district shall be elected by the qualified voters of such district and the commissioner from the fourth district shall be elected by the qualified voters of such district.

Sec. 2. That this act shall not change the term of the present commissioners or the commissioners hereafter to be elected, but that the terms of said commissioners shall be and remain as they now are.

Sec. 3. That no person shall be eligible to election as commissioner unless he shall be a qualified elector of the district from which he is elected.

Sec. 4. That all laws and parts of laws in conflict with the provisions of this act be and the same are hereby repealed.

The State of Alabama, }
Talladega County. }

Personally appeared before me, a judge of probate in and for said county, John C. Williams, who being duly sworn according to law, deposes and says that he is the publisher of the Talladega Daily Home, a newspaper published in said county and that the publication of a certain notice, a true copy of which is hereto affixed, has been made in said newspaper for four weeks consecutively, to-wit, in the issues thereof dated as follows: July 28, 1919; Aug. 4, 11, 18, 1919.

Jno. C. Williams.

Subscribed and sworn to before me this 21st day of Aug., 1919.

E. A. Hammott,
Judge of Probate.

Also:

H. 1041. To vacate and annul the street or alley in the town of Livingston, Alabama, leading from the Wetmore Lane, near the residence of Marcellus Speight, by the residence formally owned by Mrs. Matilda Greene, and intersecting with the street leading from the Livingston and Gainesville road, to the Hopkins place, also the street of alley leading from the Livingston and Gainesville road in the direction of the colored Baptist church, and lying between the campus of the Alabama Normal College and the property formally owned by Miss Julia Tutwiler, and known as the "Twin Gables."

With notice and proof attached and herewith exhibited, as follows:

NOTICE.

Notice is hereby given that a bill will be introduced in the Legislature of Alabama, the substance of which is as follows:

A bill to be entitled an act to vacate and annul the street or alley in the town of Livingston, Alabama, leading from the Wetmore Lane, near the residence of Marcellus Speight, by the residence formerly owned by Mrs. Matilda Green, and intersecting with the street leading from the Livingston and Gainesville road to the Hopkins place, also the street or alley leading from the Livingston and Gainesville road in the direction of the colored Baptist church, and lying between the campus of the Alabama Normal College and the property formerly owned by Miss Julia Tutwiler, and known as the "Twin Gables."

Section 1. Be it enacted by the Legislature of Alabama, That the street or alley in the town of Livingston, Alabama, leading from the Wetmore Lane near the Marcellus Speight place by the residence formerly owned by Mrs. Matilda Green, and intersecting with street or alley leading from the Livingston and Gainesville road to the Hopkins place, also that street or alley leading from the Livingston and Gainesville road in the direction of the colored Baptist church and lying between the campus of the Alabama Normal College and the property formerly owned by Miss Julia Tutwiler and known as the "Twin Gables," be and the same are hereby annulled, vacated and abolished as a public street, public highway or alley respectfully, and all parts thereof, and the same shall forever cease to be a public highway, public street or alley and is hereby extinguished and annulled.

State of Alabama, }
 Sumter County. }

Personally appeared before me, Thos. F. Seale, a notary public, in and for said county and State, W. H. Lawrence, who being by me first duly sworn, deposes and says:

That he is editor and publisher of "Our Southern Home," a newspaper published in said county and State, and that notice is a true copy of which is hereto attached, was published in said paper for four consecutive weeks.

W. H. Lawrence.

Sworn to and subscribed before me this the 1st day of September, 1919.

Thos. F. Seale,
 Notary Public.

Also:

H. 1027. To validate and make legal all bonds of the city of Athens, Alabama, issued or to be issued, bearing a rate of interest at the rate of six per centum per annum and to run for a period of thirty years, provided a majority of the qualified electors of said city, voting in such election, have at an election held for such purpose, voted in favor of the issuance thereof, and provided such election was held prior to July 1st, 1919.

With notice and proof attached and herewith exhibited, as follows:

State of Alabama, }
 County of Limestone. }

Before me, George Malone, judge of probate in and for said county and State, this day personally appeared R. H. Walker, who, being by me first duly sworn, deposes and says as follows:

That he is the owner and publisher of the Limestone Democrat, a newspaper of general circulation in the city of Athens, Alabama:

That the following appeared in the issues of the said Limestone Democrat of the dates of July 31, 1919; August 7th, 1919; August 14, 1919; and August 21, 1919:

"NOTICE OF INTENTION TO PASS LOCAL LAW BY LEGISLATURE"

To whom it may concern:

"You will take notice that at the present session of the Legislature of Alabama, a bill to legalize and validate and make legal all bonds of the city of Athens, Alabama, issued or to be issued, bearing a rate of interest at the rate of six per centum per annum and to run for a period of thirty years, provided a majority of the qualified electors of said city have, at an election held prior to July 1, 1919, for that purpose, voted in favor of such issuance, will be introduced and an effort made to have the same enacted into law."

Ernest Hine,
 as Mayor of Athens,
 J. S. McDonald,
 J. W. Chambers,
 W. G. Martin,
 G. W. Long,
 M. L. Ingram,
 as Councilmen."
 R. H. Walker,
 Publisher of Limestone Democrat.

Sworn to and subscribed by R. H. Walker, before me on this August 28, 1919.

George Malone,
Judge of Probate.
Fred H. Gormley,
Clerk.

HOUSE MESSAGE.

The House bills in the foregoing House message were severally read once and referred to appropriate standing committees, as follows:

H. 191. To the Committee on Public Health.

H. 890. To the Committee on Local Legislation.

H. 951, H. 981, H. 657, H. 1041. To the Committee on Municipalities and Municipal Organizations.

H. 763, H. 877, H. 947, H. 895, H. 590, H. 973, H. 798. To the Committee on Finance and Taxation.

H. 801, H. 952, H. 995, H. 1039. To the Committee on Public Roads and Highways.

H. 926, H. 943. To the Committee on Privileges and Elections.

H. 961, H. 893, H. 860, H. 619, H. 665, H. 1027. To the Committee on Judiciary.

H. 959, H. 939. To the Committee on Revision of Laws.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bills:

S. 368. To provide for the establishment, maintenance, repair and regulation of public highways; including bridges and ferries, in St. Clair county.

S. 279. To fix the compensation of members of the courts of county commissioners and boards of revenue in all counties having a population of not less than 30,900 and not more than 30,975 according to the last Federal census, and to provide for the payment of the same.

S. 390. To designate a certain public road of the State of Alabama as a State trunk road and to provide the manner in which such road shall be located, improved and maintained.

S. 359. To amend section one of an act entitled, "An act to create a county highway commission for Walker county, Alabama, and to define the powers and duties thereof," approved February 15th, 1919.

S. 450. To authorize the employment in counties of more than eighty-two thousand and less than one hundred thousand

according to the latest Federal census, of persons to investigate and report violations of law, to prescribe the mode of their employment, their term of office, their duties, and the amount and method of payment for their services.

S. 280. To amend an act entitled "An act to provide and create a commission form of government and to authorize the adoption of the same in all cities and towns in the State of Alabama which now are not or hereafter may not be within the influence or operation of any other valid legislative enactment authorizing or adopting such form of government; to regulate the selection and election of commissioners and their terms of office and retention in and recall from office; to provide for the selection of one commissioner as mayor, and the retention in office of certain officials; to fix the powers, duties and compensation of such commissioners; to punish improper conduct in connection with elections and petitions hereunder; to abolish boards of public work, police commissioners, councilmen, aldermen and certain other city and town officials of such municipalities as adopt the said form of government; and generally to authorize and provide for the creation and maintenance of said commission form of government," approved April 8th, 1911, and as amended by an act approved Sept. 28, 1915, by amending the title thereof and by amending said act so that it shall apply to cities which have a population of exceeding fifty thousand five hundred and not more than one hundred thousand, according to the last Federal census, and which may hereafter have such population according to any Federal census hereafter taken, and to no others, by providing for the selection and election of a mayor and commissioners and fixing their terms of office and compensation, by abolishing certain offices, by fixing the powers, duties and liabilities of such mayor and commissioners, by creating certain new offices of such cities and providing for the selection of the incumbents thereof, and generally by prescribing a form of municipal government for such cities.

And returns same herewith to the Senate.

Fred H. Gormley,
Clerk.

HOUSE MESSAGE.

On motion of Mr. Bedsole, the Senate concurred in the following amendment by the House to Senate bill No. 390, the title of which is set out in the foregoing message from the House, to-wit:

Amend section 1 of Senate bill No. 390 by adding at the end of section 1, the following:

Thence to Melvin, to Toxey, to Butler, to Campbell, to Bashi, by way of Marvin, and extending to Thomasville, intersecting trunk road No. 1, at Thomasville.

Yeas, 19; nays, 0.

Yeas:

Messrs:

Acker	Carmichael	Huddleston	Smith (Coosa)
Baker	Craft	Miller	Smith (Lawrence)
Briscoe	Evins	McDowell	Tally
Butler	Griffith	Nance	West
Carlton	Harper	Sims	

—19

Nays:—None.

HOUSE MESSAGE.

On motion of Mr. Leith, the Senate concurred in the following amendment by the House to Senate bill No. 359, the title of which is set out in the foregoing message from the House, to-wit:

Amend Senate bill No. 359, by adding at the end of the bill the following:

The governor may at his discretion appoint two assistants highway commissioners, each of whom may exercise the same powers and authority as any one of the commission and discharge the same duties.

Yeas, 20; nays, 0.

Yeas:

Messrs:

Acker	Craft	Miller	Sims
Beale	Evins	Moore	Smith (Coosa)
Briscoe	Griffith	Morris	Smith (Lawrence)
Butler	Huddleston	Phillips	Tally
Cowan	Leith	Prestwood	West

—20

Nays:—None.

HOUSE MESSAGE.

On motion of Mr. Gunter, the Senate concurred in the following amendment by the House to Senate bill No. 450, the title of which is set out in the foregoing message from the House, to-wit:

Amend by adding after the word census in the caption and in the body of the bill, the words "or any subsequent Federal decennial census."

Yeas, 20; nays, 0.

*Yeas:**Messrs:*

Acker	Espy	Miller	Prestwood
Baker	Griffith	Moore	Rogers (Lauderdale)
Bedsole	Gunter	Morris	Rogers (Sumter)
Carlton	Huddleston	McDowell	Sims
Cowan	Leith	Phillips	Smith (Lawrence)

—20

Nays:—None.

HOUSE MESSAGE.

Mr. Ellis moved that the Senate non-concur in the following House amendment to Senate bill No. 280, the title of which is set out in the foregoing message from the House, to-wit:

Amend Senate bill No. 280 as follows:

Strike out everything in section 3 down to and including the word "established" in the third line.

Amend Senate bill No. 280 by striking out section 29½.

And request a Committee of Conference.

Mr. Craft moved to table the motion made by Mr. Ellis, which motion prevailed, and said motion was laid on the table.

Yeas, 17; nays, 8.

*Yeas:**Messrs:*

Acker	Cowan	Kelly	Sims
Beale	Craft	Moore	Smith (Coosa)
Briscoe	Gunter	Nance	Tally
Brown	Huddleston	Prestwood	West
Carmichael			

—17

*Nays:**Messrs:*

Bedsole	Ellis	Harper	McDowell
Caffey	Evins	Miller	Rogers (Sumter)

—8

Mr. Craft then moved that the Senate concur in the amendments by the House above set out, to Senate bill No. 280, the title of which is set out in the foregoing message from the House, which motion prevailed and said amendments were concurred in.

Yeas, 18; nays, 7.

*Yeas:**Messrs:*

Acker	Cowan	Kelly	Sims
Beale	Craft	Moore	Smith (Coosa)
Briscoe	Gunter	Nance	Tally
Brown	Harper	Prestwood	West
Carmichael	Huddleston		

—18

*Nays:***Messrs:**

Bedsole

Caffey

Ellis

Evins

Miller

McDowell

Rogers (Sumter)

—7

HOUSE MESSAGE.

On motion of Mr. Brown, the Senate concurred in the following amendment by the House to Senate bill No. 368, the title of which is set out in the foregoing message from the House, to-wit:

Amend section 17 of Senate bill 368 so as to read as follows:

Section 17. That the court of county commissioners of St. Clair county may, for the purpose of maintaining public roads, bridges and ferries of the county, impose upon the owners of vehicles, automobiles, trucks, and motor buses, which are used upon the public roads of the county, such license taxes for each class of vehicles, automobiles, trucks and motor buses, as may be deemed advisable by said court.

Also amend Senate bill 368 by adding the following: Sections 24, 25, 26 and 27.

Section 24. That it shall be the duty of the commissioners' court of St. Clair county, as soon after the passage of this act as practicable, to divide said county into four or more road districts, each district to be lettered, beginning with the letter "A" and each road in each of said districts shall be numbered, beginning with No. 1, and the points where each of said roads begins and ends, together with such intermediate description as may be necessary, shall be embraced in such description, which said description shall be in substantially the following form:

Road District.....shall consist of the following roads:

Road No.....shall begin at.....(with such intermediate description as may be necessary) and shall end at.....

The roads as set forth above, including the bridges and ferries on such roads shall constitute the highway system of said county, provided that all roads as designated in this act or by general law as State trunk roads, or highways, or parts of the State highway system in said county, shall be included as a part of the said county highway system, and shall be maintained as other roads as provided herein, unless the location, construction and maintenance of such State trunk roads shall, by general law or otherwise, be assumed by the State highway department, and provided further that the court of county commissioners may, when it is their best judgment to do so, rearrange the several

road districts in the several counties, and increase or diminish the number thereof, to not less than four.

Section 25. Preference in the maintenance and upkeep of the roads, and bridges of each road district, shall be given to those roads and bridges subject to the most frequent use and travel by the traveling public, and the court of county commissioners is required to apply all taxes, including licenses and special taxes, collected in said county, for road and bridge purposes, or either, to the maintenance and upkeep of the roads and bridges in the several road districts in such proportion as that each road of each road district shall receive its just proportion of such maintenance and upkeep, demanded by the travel thereon, but the provisions hereof shall not be construed to authorize the expenditure of any road funds in the maintenance of any private road or bridge, and the probate judge is required to keep a suitable record of the amount expended in each road district, such record to be kept in his office, open to inspection by the public, and he shall produce the same for inspection by the grand jury when so demanded by such jury.

Section 26. For the purpose of maintaining and keeping the roads and bridges of each district in a suitable condition for travel, it shall be the duty of and the commissioners' court is hereby required to maintain in each of said road districts a working force, supplied with tools, stock, implements, machinery and materials necessary for the efficient maintenance and upkeep of said roads and bridges; provided, however, that said court of county commissioners may let out the maintenance and upkeep of any one or more of said roads, or any part thereof, by contract to the lowest bidder, preference being given in the acceptance of such bids to those who offer to furnish the necessary tools, stock, wagons, machinery, etc., or any part thereof without expense to the county in the purchase thereof, if in the judgment of said court, it will be to the best interest of the county to do so.

Section 27. The court of county commissioners are hereby authorized to make any agreement, or contract, with the State highway department, as to the construction and maintenance of roads and bridges in said county, as they may see fit when in their judgment the best interests of the county will be served by so doing.

Yeas, 25; nays, 0.

Yeas:

Messrs:

Acker

Beale

Bedsole

Briscoe

Brown

Caffey

Carmichael

Cowan

Craft

Ellis

Evins

Gunter

Harper

Huddleston

Leith

Miller

Moore	Prestwood	Sims	Tally
McDowell	Rogers (Lauderdale)	Smith (Coosa)	West
Nance			

—25

Nays:—None.

HOUSE MESSAGE.

On motion of Mr. Rogers of Lauderdale, the Senate non-concurred in the following amendment by the House to Senate bill No. 279, the title of which is set out in the foregoing message from the House, to-wit:

Amend S. 279 by striking out the words "six dollars" and inserting in lieu thereof, five dollars.

Amend the bill by striking out the words, "or other places within the county."

And requests a Committee of Conference, consisting of three members from each house. Pursuant to such request, the President of the Senate appointed as conferees on the part of the Senate, Messrs. Rogers of Lauderdale, McDowell and Ellis.

MESSAGE FROM THE HOUSE.

Mr. President:

The Speaker having signed the following bill your signature thereto is requested:

H. 383. To provide for the general revenue of the State of Alabama.

Fred H. Gormley,
Clerk.

SIGNING OF BILLS.

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the following bill:

H. 383. To provide for the general revenue of the State of Alabama.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has passed the following Senate bill:

S. 332. To amend an act entitled, "An act to regulate the employment of minor children within the State of Alabama; to prohibit the employment of minors under certain conditions; to provide for the inspection, and regulation of establishments, occupations, places and premises where minors are employed; to en-

trust the enforcement of the provisions of this act to the State prison inspector; to punish violations of this act," and approved February 24, 1915.

And returns same herewith to the Senate.

Fred H. Gormley,
Clerk.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has concurred in and adopted the amendment proposed by the governor to the bill:

S. 448. To create a county highway commission for Cherokee county, Alabama, to be known as the Cherokee county highway commission, and to provide for the appointment thereof by the governor; to invest it with full, complete and unlimited jurisdiction over the public roads, bridges and ferries in Cherokee county; to prescribe and define its powers and duties as such highway commission, and to repeal all laws and parts of laws in conflict therewith. To abolish free labor on the public roads in Cherokee county, and in lieu thereof, assess public road dues on those required to perform free labor on the public roads. To authorize the commission to take charge of all the public road tools and machinery belonging to the county, and to receive all the funds now provided by the county for the use of the public roads, bridges and ferries therein and in addition thereto, to levy and collect special privilege license taxes for the construction and maintenance of the public roads, bridges and ferries in the county. To authorize and empower the commission to exercise all the legislative, judicial and executive authority over the public roads, bridges and ferries conferred by law on the court of county commissioners. To fix penalties for the violations of any of the provisions of this act, and for the violations of any of the rules, or legislative acts of the commission.

By a vote of Yeas, 62; nays, 0, which was a majority of the whole number elected to the House of Representatives, and returns same herewith to the Senate.

Fred H. Gormley,
Clerk.

RESOLUTION.

Mr. Carmichael offered the following resolution:

S. J. R. 140. Resolved by the Senate, the House concurring, That when both houses adjourn today it be till Wednesday morning, September 17, at 9:30 o'clock A. M.

Which was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE GOVERNOR.

September 12, 1919.

To the Senate of Alabama:

In accordance with the provisions of section 843 of the Code, I submit herewith for your consideration the names of men elected by the Board of Trustees of the Alabama Insane Hospitals to fill vacancies on said board, to-wit:

J. M. Foster, of Tuscaloosa, Alabama, for the term expiring on December 31, 1922;

Dr. Eugene D. Bondurant, of Mobile, Alabama, for the term expiring on December 31, 1923;

Samuel Will John, of Selma, Alabama, for the term expiring on December 31, 1925;

Dr. Frank T. Inge, of Mobile, Alabama, for the term expiring on December 31, 1921.

Respectfully,
Thos. E. Kilby,
Governor.

CONFIRMATION OF TRUSTEES ALABAMA INSANE HOSPITALS.

On motion of Mr. Acker, the Senate confirmed the appointment of the following as members of the board of trustees of the Alabama Insane Hospitals to fill vacancies on said board, to-wit:

J. M. Foster, of Tuscaloosa, Alabama, for the term expiring on December 31, 1922.

Dr. Eugene D. Bondurant, of Mobile, Alabama, for the term expiring on December 31, 1923;

Samuel Will John, of Selma, Alabama, for the term expiring on December 31, 1925;

Dr. Frank T. Inge, of Mobile, Alabama, for the term expiring on December 31, 1921.

Yeas, 24; nays, 0.

*Yeas:**Messrs:*

Acker	Carmichael	Huddleston	Prestwood
Beale	Cowan	Kelly	Rogers (Sumter)
Bedsale	Craft	Miller	Sims
Briscoe	Evins	Moore	Smith (Coosa)
Brown	Gunter	McDowell	Tally
Caffey	Harper	Nance	West

—24

Nays:—None.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has amended as therein shown and as amended, has passed:

S. 497. To provide for the election of county road engineers in counties having a population of not less than eighty thousand

nor more than eighty-two thousand, according to the Federal census of 1910, and to fix their duties and compensation.

And returns same herewith to the Senate.

Fred H. Gormley,
Clerk.

HOUSE MESSAGE.

On motion of Mr. Craft the Senate concurred in the following amendment by the House to Senate bill No. 497, the title of which is set out in the foregoing message from the House, to-wit:

Amend caption of S. 497 by adding at the end thereof the following words: "And to make the county solicitor or his assistant the legal adviser for the county board of revenue and the county road engineer."

Amend section 1 by adding the following at the end thereof: "The county solicitor or the assistant solicitor shall be the legal adviser for the county board of revenue and the county road engineer."

Amend the bill by striking out section 11½.

Yeas, 24; nays, 0.

Yeas:

Messrs:

Acker	Carmichael	Huddleston	Prestwood
Beale	Cowan	Leith	Rogers (Sumter)
Bedsole	Craft	Miller	Sims
Briscoe	Evins	Moore	Smith (Coosa)
Brown	Gunter	McDowell	Tally
Caffey	Harper	Nance	West

—24

Nays:—None.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has originated and passed the following bills:

H. 432. Defining as the exercise of due diligence, the forwarding of a check direct to payer.

Also:

H. 433. To limit the liability of a bank for non-payment of a check through error.

Also:

H. 553. To provide for the revision, codification, digesting and promulgating of the public statutes of this State, both civil and criminal.

Also:

H. 453. To require banks and trust companies doing a banking business, to set aside at least 10% of their net earnings each year to a surplus fund, until such fund shall be equal to at least 20% of the capital stock, and to provide penalties for failure.

Also:

H. 475. To authorize the personal representative, by appointment of a court having jurisdiction in any other State than the State of Alabama, to receive and collect indebtedness owing to deceased by a person who is a resident of Alabama, and to execute receipt and discharge therefor.

Also:

H. 404. To authorize all cities and towns in this State to purchase sanitary or storm water sewers, or sanitary or storm water sewer systems, and to assess the cost of the same against the property drained by them; to prescribe the method of procedure in purchasing such sewers or sewer systems and in levying assessments against the property drained by them; and to authorize the issuance of bonds for the purpose of providing funds to pay the cost of the same.

Also:

H. 465. To amend an act to provide for the registration of electors.

Also:

H. 710. To abrogate and abolish the county courts of all counties in the State of Alabama, having a population, according to the last preceding and official and published Federal census, of not less than thirty-three thousand, and not exceeding thirty-three thousand eight hundred.

Also:

H. 762. To fix the salary of the judge of the county court in all counties having a population of not less than twenty-three thousand one hundred and fifty (23,150) and not more than twenty-three thousand two hundred and fifty (23,250) according to the Federal census of 1910 and provide for the payment of the same.

Also:

H. 853. To amend an act entitled an act "To ratify, confirm and validate the census of the cities and towns in the State of Alabama, of seven (7,000) thousand inhabitants and less, where the same has been taken as provided by the Code of Alabama, 1907, and the report of the same filed in the office of the secretary of State." . Approved April 4th, 1911.

Also:

H. 872. To provide for the special appointment by judges of the circuit courts in circuits having five or more circuit judges, of court reporters designated by the parties to any matter, cause, or proceeding, to act as official court reporters; to define their duties, and fix their compensation, and the method of payment thereof; to provide for the taxation of the compensation of such

reporters as costs, and for the reimbursement of parties who shall pay the compensation of such reporters; and to provide that the transcript of such court reporter of the testimony, or other oral proceedings in any matter, cause, or proceeding in said courts, when certified by such reporter, shall be prima facie evidence of such testimony, or other oral proceedings, and shall be admissible in evidence of such testimony or other oral proceedings whenever proof thereof is otherwise competent.

Also:

H. 884. To fix the compensation of circuit solicitors in all ~~circuits of the State of Alabama which are now composed~~, or which may hereafter be composed of only one county and having two judges.

Also:

H. 914. To amend an act entitled "An act to fix the time of holding the circuit court in the third judicial circuit of the State of Alabama," as amended and approved April 7th, 1911.

Also:

H. 936. To amend section 1 of an act entitled an act "To designate certain public roads of the State of Alabama as State trunk roads and to provide the manner in which such roads shall be located, improved and maintained," approved September 10, 1915.

Also:

H. 937. To provide for the payment of expenses for automobiles for the use of sheriffs in the discharge of their duties as such in counties of not less than 53,401, nor more than 53,501 population, according to the Federal census of 1910, or according to any subsequent Federal census.

Also:

H. 949. To designate a certain public road of Alabama as a State trunk road, and to provide the manner in which said road shall be located, improved and maintained.

Also:

H. 962. To establish boards of revenue in all counties having a population of not less than 47,041 and not more than 47,150, according to the Federal census of 1910, and to abolish the courts of county commissioners thereof, and to provide for the better working of the public roads of said counties.

Also:

H. 964. To amend an act to designate certain public roads of the State of Alabama as State trunk roads and to provide the manner in which such roads shall be located, improved and maintained, enacted by the Legislature of Alabama, approved September 10th, 1915.

Also:

H. 978. To provide for the payment of ex-officio fees to clerks of circuit courts in all counties of this State having at the last Federal census over fifty thousand inhabitants and under fifty-five thousand inhabitants.

Also:

H. 993. To create and designate an additional trunk road, extending from the town of Heflin in Cleburne county east to the Georgia state line along the public road now laid out and forming a part of what is known as the Bankhead highway, and to confer upon said road all of the rights and privileges now extended to trunk roads in this State.

Also:

H. 999. To provide for and regulate the payment of officers' costs in criminal cases where the defendant is acquitted or where State takes a nolle prosequi, or where case is abated by the death of defendant, or where the indictment is withdrawn and filed in counties having a population according to the last Federal census of not less than eighteen thousand three hundred and not exceeding eighteen thousand five hundred.

Also:

H. 976. To amend an act to establish an inferior court in precincts 15 and 20 in Calhoun county, Alabama, in lieu of all justices of the peace and notaries public, with powers of justice of the peace in said precincts, and to define the jurisdiction and powers of said courts and judge thereof, to provide for the execution of the process of said court and the operation thereof, to regulate the rendition of judgments by default, to provide for the election, term of office, qualifications and compensation of the officers of said court, and the mode of their selection, and to abolish the office of justice of the peace and notary public, with power of justice of the peace in said precincts. Approved August 25th, 1915.

With notice and proof attached hereto and exhibited as follows:

NOTICE.

Notice is hereby given that a bill will be introduced in the Legislature to amend sections five and six of an act entitled "An act to establish an inferior court in precincts 15 and 20 in Calhoun county, Alabama, in lieu of all justices of the peace and notary publics with power of justice of the peace in said precincts and to define the jurisdiction and powers of said court, and the judge thereof, to provide for the execution of process of said court and the operation thereof to regulate the rendition of judgments by default, to provide for the election term of office, qualifications and compensation of the officers of said court and the mode of their selection and to abolish the office of justice of the peace and notary public with power of justice of the peace in said precincts.

Approved August 25, 1915, as follows:

Section 5. Be it further enacted, that the judge of said court shall receive a salary of twenty-four hundred dollars, payable monthly out of the county treasury upon warrant drawn upon the county treasury and the judge of said court shall be authorized to charge and collect a trial fee of one dollar for each and every trial had in said court in civil cases, which shall be collected and paid into the county treasury as other fees and costs collected by him.

State of Alabama, }
Calhoun County. }

~~Personally appeared~~ before me, E. D. Willett, judge of the court of common pleas of Anniston, Harry M. Ayers, who being sworn, deposes and says that he is editor and publisher of the Anniston Evening Star, a daily newspaper published at Anniston, in Calhoun county, Alabama; that the above and foregoing notice was published in said paper on the following dates: June 13th, June 20th, June 27th, and July 4th, 1919.

(Signed) Harry M. Ayers.

Sworn to and subscribed before me this the 26th day of August, 1919.

E. D. Willett (Signed),
Judge Court of Common Pleas.

Also:

H. 1030. To prescribe and regulate the payment of certain claims registered against the fine and forfeiture funds of St. Clair county, when there are such funds in the hands of the county treasurer or any bank or individual who are discharging the duties of county treasurer and to give notice to such persons there are funds in the hands of such treasurer for the payment of claims by publication in county newspaper for two weeks.

With notice and proof attached hereto and exhibited as follows:

NOTICE.

The Legislature of Alabama now in session will be asked to pass this act in substance as follows:

Sec. 1.

Be it enacted by the Legislature of Alabama, That for each year after the passage of this act on the 1st day of October. If there is funds in the hands of county treasurer, county depository or individual discharging the duties of county treasurer belonging to the fine and forfeiture funds of St. Clair county, and that such claims have not been presented for payment. It shall be the duty of the treasurer, county depository or individual discharging the duties of county treasurer to give notice for publication in a newspaper published in said county for two consecutive weeks of the facts giving the names of the owner or holder of such claims and the amount of same and that if not presented for payment by the 1st day of January following, it shall be the duty of the county treasurer, depository or individual acting as county treasurer to apply the money to succeeding claims in the order registered. Provided that nothing in this act shall be constructed as to permit the payment of such claims so passed over at any time when there is money in the treasury to pay the same when presented.

Act. 2.

That all laws and parts of laws in conflict of this act are hereby especially appealed.

State of Alabama, }
St. Clair County. }

Before me, James M. Garrett, clerk of the circuit court, in and for said State and county, personally appeared B. B. Cather, who being duly sworn, deposes and says that he is the publisher and editor of the Southern Aegis, a weekly newspaper published every week at Ashville, St. Clair county, Alabama, and that the notice hereto attached was published in the Southern Aegis once in each week for four consecutive weeks, beginning on the 4th day of March, 1919, and ending on the 12th day of April, 1919, both dates inclusive.

B. B. Cather.

Subscribed and sworn to before me, this 30 day of August, 1919.

Jas. M. Garrett,
Clerk of Circuit Court, St. Clair County, Ala.

Also:

H. 781. Fixing the number, location, manner of election and term of office of the members of the school board of the city of Ozark, Alabama.

With notice and proof attached hereto and exhibited as follows:

NOTICE OF LOCAL ACT.

Notice is hereby given that the following local bill will be introduced in the Legislature of Alabama at the summer session:

A BILL

To be entitled an act fixing the number, location, manner of election and term of office of the members of the school board of the city of Ozark, Alabama.

Be it enacted by the Legislature of Alabama:

Section 1. That the school board of the city of Ozark, Alabama, shall consist of five members, one from each ward, to be elected by the legal voters of the city of Ozark at the city primary election in 1920 for the selection of mayor, alderman and other city officials, and shall hold office for a period of two years and shall be elected biennially thereafter.

Section 2. That all laws or parts of laws in conflict with this act are hereby repealed.

State of Alabama, }
Dale County. }

John Q. Adams, being duly sworn, says that he is the editor and publisher of the Southern Star, a weekly newspaper published in Ozark, Alabama, and that the above act has been published for four successive weeks therein as required by law.

John Q. Adams.

Sworn to and subscribed before me this 4th day of August, 1919.

Frank O. Deese,
Notary Public, Dale County, Alabama.

Also:

H. 64. To abolish the county school board for Geneva county, Alabama, and to provide for the election of a superintendent of education for Geneva county, Alabama, by the people and to provide for the election of school trustees by the patrons of the school.

With notice and proof attached hereto and exhibited as follows:

NOTICE OF PROPOSED BILL.

Notice is hereby given that I will introduce in the next general assembly of Alabama a bill to abolish the county school board for Geneva county, Alabama, and provide for an election of county superintendent of education, and the election by the patrons of the schools of their own trustees as heretofore provided by law.

Dated this December 10th, 1918.

T. S. Faulk.

CERTIFICATE OF PUBLICATION.

State of Alabama, }
Geneva County. }

I, Wm. L. Wilkinson, editor and proprietor of the Geneva County Reaper, a weekly newspaper published in Geneva, Geneva county, Alabama, do hereby certify that the advertisement attached hereto has been published in said newspaper for a period of four consecutive weeks, commencing December 15th, 1918, and ending January 3rd, 1919.

Witness my hand this 11th day of January, 1919.

Wm. L. Wilkinson.

Sworn to and subscribed before me this 11th day of January, 1919.

J. W. Draughon,
Clerk of Circuit Court.

(Seal)

Also:

H. 709. To abrogate to and to abolish the jurisdiction of justices of the peace and notaries public with powers of justices of the peace in Morgan county, Alabama; of all criminal causes, except as committing magistrates in felony cases.

With notice and proof attached hereto and exhibited as follows:

NOTICE.

Notice is hereby given that a bill will be introduced in the coming session of the Legislature of Alabama to take away from the justices of the peace and notaries public with powers of justices of the peace to Morgan county, Alabama, jurisdiction of all criminal causes, except as committing magistrates in felony cases.

State of Alabama, }
Morgan County. }

Before me, T. C. Almon, a notary public in and for the county and State aforesaid, this day personally appeared C. J. Hildreth, who being by me first duly sworn, deposes and says that he is the editor, manager and publisher of the Albany Advertiser, a newspaper published in the town of Albany, Morgan county, Alabama, and that the above and foregoing notice

has been published every week for four consecutive weeks in said newspaper prior to this date.

Sworn to and subscribed before me this the 19th day of July, 1919.
C. J. Hildreth.
T. C. Almon,
Notary Public.

Also:

H. 968. To repeal an act to provide for the better construction, repairing, working, and maintaining of public roads and bridges in Clay county, Alabama, approved April 8th, 1911.

With notice and proof attached hereto and exhibited as follows:

State of Alabama, }
Clay County. }

Before me, O. B. Cornelius, judge of probate, in and for said county and State, personally appeared B. W. Sims, who is known to me, and who being by me first duly sworn, on oath deposes and says that he is manager and publisher of the Ashland Progress, a newspaper published in Ashland, Alabama, and circulated in Clay county, Alabama, and that the notice hereto attached and marked exhibit A, was published for four consecutive weeks in said newspaper, and appeared in the weekly issues of said newspaper on the following dates, as follows: July 25, August 1, August 8th, and August 15th, during the year 1919, and that this exhibit A is a true, complete and exact copy of said notice as published, which said notice is as follows, to-wit:

NOTICE.

Notice is hereby given that a bill will be introduced in the present session of the Legislature of Alabama, the substance of which will be to repeal "An act to provide for the better construction, repairing, working and maintaining of public roads and bridges in Clay county, Alabama," approved April 8, 1911. Said repeal to go into effect October 31, 1919.

B. W. Sims.

Sworn to and subscribed before me, on this, the 21st day of August, 1919.

O. B. Cornelius,
Judge of Probate.

Also:

H. 975. To dissolve the municipal corporation of the town of James, Alabama.

With notice and proof attached hereto and exhibited as follows:

NOTICE.

Notice is hereby given that at the adjourned term of the Legislature of 1919, which is to meet in July, 1919, I shall introduce in said Legislature a bill, the purpose of which bill shall be to annul, revoke or abolish the charter of the town of James, in Bullock county, Alabama.

Necy Lewis.

State of Alabama, }
Bullock County. }

August 19, 1919.

Personally appeared before me, a notary public for said county and State, H. S. Caldwell, who first being duly sworn, deposes and says that he

is the publisher of the Union Springs Herald, a newspaper published at Union Springs in said county and State, and that the notice for annulling or revoking the charter of the town of James, Ala., was published in said paper for four consecutive issues, beginning on June 18, 1919, and a true copy of said notice is hereto attached.

Sworn to and subscribed before me this 19 day of August, 1919.
 H. S. Caldwell.
 Ernest L. Blue,
 Notary Public.

Also:

H. 992. To create the office of county solicitor for Crenshaw county; to prescribe his qualifications and duties; to provide for his election by the qualified electors of the county; to provide for the filling of vacancies in said office; to fix his salary and prescribe the length of term of his office and to repeal conflicting laws.

With notice and proof attached hereto and exhibited as follows:

TO THE PEOPLE OF CRENSHAW COUNTY.

You will take notice that at the coming session of the Legislature which convenes on the 8th day of July, 1919, a bill will be introduced for passage and enactment into law the substance of which will be:

To create the office of county solicitor for Crenshaw county, Alabama, to define the duties of said office; to fix the term of office and prescribe the duties of said office; to provide for the election of the county solicitor by the votes of qualified electors of Crenshaw county, Alabama; to fix the salary of the county solicitor and provide for the payment of the same. To repeal all conflicting laws.

W. H. Stoddard,
 Representative for Crenshaw County.

AFFIDAVIT OF PUBLICATION.

I, C. L. Kellter, publisher of the Crenshaw County News, a newspaper published weekly at Luverne, Crenshaw County, Alabama, do solemnly swear that a copy of the above notice, as per clipping attached, was published once a week in the regular and entire issue of said newspaper, and not in any supplement thereof, for four consecutive weeks, commencing with the issue dated August 7th, 1919, and ending with the issue dated August 28th, 1919.

Subscribed and sworn to before me this 28th day of August, 1919.
 C. L. Kellter.

(Seal)

Wilkie Pope,
 N. P.

Also:

H. 899. To amend section one of an act entitled an act to establish a charter for the town of Gordo, Pickens county, approved December 7th, 1900.

With notice and proof attached hereto and exhibited as follows:

NOTICE.

A bill will be introduced in the present session of the Legislature of Alabama, substantially as follows:

Be it enacted by the Legislature of Alabama, That section one of an act entitled an act to establish a charter for the town of Gordo, Pickens county, approved December 7th, 1900, be amended so as to read as follows:

Section 1. That the corporate limits of the town of Gordo shall be 880 yards equi-distant north, east, south and west from the center of the present Mobile & Ohio railroad company's depot located in said town, except that on the east side thereof said corporate limits shall nowhere extend beyond the west bank or shore of Bear Creek.

PROOF OF PUBLICATION.

The State of Alabama, }
Pickens County. }

Before me, B. G. Robison, judge of the court of probate for said county, personally appeared W. S. McGee, publisher of the Pickens County Herald and the West Alabamian, a newspaper published in said county, who, being by me first duly sworn, states that the attached notice has been regularly published once a week for four consecutive weeks in said paper in issues dated as follows: July 17th, 1919; July 24th, 1919; August 7th, 1919; Aug. 14th, 1919.

W. S. McGee.

Subscribed and sworn to before me, this the 12th day of August, 1919.

B. G. Robison,
Judge of Probate.

Publication fee, \$5.26.

And sends same herewith to the Senate.

Fred H. Gormley,
Clerk.

HOUSE MESSAGE.

The House bills in the foregoing House message were severally read once and referred to appropriate standing committees, as follows:

H. 432, H. 433, H. 453. To the Committee on Banking and Insurance.

H. 553, H. 475, H. 914. To the Committee on Judiciary.

H. 404, H. 853, H. 975, H. 899. To the Committee on Municipalities and Municipal Organizations.

H. 465. To the Committee on Privileges and Elections.

H. 710, H. 64, H. 709. To the Committee on Local Legislation.

H. 762, H. 884, H. 937, H. 978, H. 999, H. 1030. To the Committee on Finance and Taxation.

H. 872, H. 962, H. 976, H. 992. To the Committee on Revision of Laws.

H. 936, H. 949, H. 964, H. 993, H. 968. To the Committee on Public Roads and Highways.

H. 871. To the Committee on Education.

BILLS ORDERED RETURNED TO GOVERNOR.

Mr. Evins moves that the bills:

S. 398. To fix the salaries of the several justices of the Supreme Court.

Also:

S. 399. To fix the salaries of the several judges of the Court of Appeals.

Recalled from the governor under resolution previously adopted, be returned to the governor, which motion prevailed and said bills were returned to the governor by the Secretary.

RESOLUTION.

Mr. McDowell offered the following Senate resolution:

S. R. 141. Be it resolved by the Senate, That copies of the Code of 1907, and the Acts of 1915 and of 1911, distributed to the members for use while in session, be, and the same are hereby, allowed to be retained by the members for their private use.

Which was, under a suspension of the rules, adopted.

NOTICE MOTION TO TAKE FROM ADVERSE CALENDAR.

Mr. Prestwood gave to the Senate the following notice in writing:

"To the Senate of Alabama:

Notice is hereby given that a motion will be made on the next legislative day to remove from the adverse calendar and place on the regular calendar for passage, Senate bill No. 144.

J. Morgan Prestwood,
Sen. 17th Sen. Dist."

BILLS TAKEN FROM ADVERSE CALENDAR.

Pursuant to notice heretofore given, Mr. Leith moved to take from the adverse calendar, have the same read a second time and placed on the regular calendar, the bill:

S. 410. To propose and submit to the qualified electors of the State of Alabama at the next general election to be held in and for said State a proposed amendment to the Constitution whereby the Legislature may make laws for the purpose of levying or collecting what is known as an inheritance tax on real and personal money, public and private securities of every kind in this State passing from any person who may die seized and possessed thereof, or of any part of such estate of any securities, or interest therein, transferred by the intestate laws of this State,

or by will, deed, grant, bargain, sale or gift made or intended to take effect in possession after death of the grantor, deviser or donor and to exempt from such tax fifty thousand dollars. •

Which motion prevailed, and said bill was taken from the adverse calendar, read a second time and placed on the regular calendar for a third reading on tomorrow.

Pursuant to notice heretofore given Mr. Leith moved to take from the adverse calendar, have the same read a second time and placed on the regular calendar, the bill:

S. 619. To repeal an act entitled "An act to better secure the administration of the finance affairs of the State with respect to expenditures and appropriations and for that purpose to establish a State budget commission and to prescribe rules and regulations governing the same," approved February 11, 1919.

Which motion prevailed, and said bill was taken from the adverse calendar, read a second time and placed on the regular calendar for a third reading on tomorrow.

Pursuant to notice heretofore given, Mr. Leith also moved to take from the adverse calendar, have the same read a second time and placed on the regular calendar, the bill:

S. 620. To repeal an act entitled "An act to create a State board of control and economics and to provide members thereof, their tenure in office, salaries, duties and mode of appointment, and to prescribe rules and regulations governing said board," approved February 13, 1919.

Which motion prevailed, and said bill was taken from the adverse calendar, read a second time and placed on the regular calendar for a third reading on tomorrow.

RESOLUTIONS TAKEN FROM ADVERSE CALENDAR.

Pursuant to notice heretofore given, Mr. Leith moved to take from the adverse calendar, have the same read a second time and placed on the regular calendar, the resolution:

S. J. R. 108. Relative to the Recess Committee reorganizing and sitting during the time this Legislature is in session to investigate certain convict camps, etc.

Which motion prevailed and said resolution was taken from the adverse calendar, read a second time and placed on the regular calendar for a third reading on tomorrow.

Pursuant to notice heretofore given Mr. Leith also moved to take from the adverse calendar, have the same read a second time and placed on the regular calendar, the resolution:

S. J. R. 109. Relative to the printing and distribution of 200,000 copies of the evidence and data, minority and majority

reports of the Recess Committee on "Convicts and Highways" together with the governor's message.

Which motion prevailed and said resolution was taken from the adverse calendar, read a second time and placed on the regular calendar for a third reading on tomorrow.

Pursuant to notice heretofore given, Mr. Acker moved to take from the adverse calendar, have the same read a second time and placed on the regular calendar, the bill:

S. 584. To authorize the governor to employ a special force of not more than ten men to serve under his immediate direction and control, to assist him in his duty of taking care that the laws of the State are faithfully executed, and to provide compensation for their services.

Which motion prevailed and said bill was taken from the adverse calendar, read a second time and placed on the regular calendar for a third reading on tomorrow.

Pursuant to notice heretofore given, Mr. Gunter, moved to take from the adverse calendar, have the same read a second time and placed on the regular calendar, the bill:

S. 652. To change the boundary line between Montgomery and Crenshaw counties so as to take into Montgomery county the following land, now situated in Crenshaw county, Alabama, to-wit: The northwest quarter (N. W. $\frac{1}{4}$) and the west half (W. $\frac{1}{2}$) of the northeast quarter (N. E. $\frac{1}{4}$), section five (5); also the northeast quarter (N. E. $\frac{1}{4}$) and the east half (E. $\frac{1}{2}$) of the northwest quarter (N. W. $\frac{1}{4}$), section six (6), township eleven (11), range eighteen (18).

Which motion prevailed and said bill was taken from the adverse calendar, read a second time and placed on the regular calendar for a third reading:

Pursuant to notice heretofore given, Mr. Morris moved to take from the adverse calendar, have the same read a second time and placed on the regular calendar, the bill:

S. 251. To amend section 1759 of the Code of Alabama 1907 (relates to school year, school month, and school day).

Which motion was lost and the Senate refused to take said bill from the adverse calendar.

Mr. Morris also moved, pursuant to notice heretofore given, to take from the adverse calendar, have the same read a second time and placed on the regular calendar, the bill:

S. 481. To provide for the consolidation of schools in counties of this State having not less than 21,600 nor more than 22,000 population according to the Federal census of 1910.

Which motion was lost and the Senate refused to take said bill from the adverse calendar.

Mr. Gunter moved that the bill:

S. 412. To amend section 4 of "An act to fix the compensation of circuit judges, circuit solicitors, and assistant solicitors in all circuits of the State of Alabama which circuits are composed of only one county and having two or more judges, or which circuits may hereafter have two or more judges, and to provide that a portion of such salaries be paid out of the county treasury of the counties constituting the respective circuits.

Recalled from the governor under a resolution previously adopted, be returned to the governor, which motion prevailed and the secretary was ordered to return said bill to the governor. And said bill was returned to the governor by the Secretary.

RESOLUTION.

Mr. Prestwood offered the following resolution:

S. 142. Be it resolved by the Senate, that Senate bill No. 466, be made a special, paramount, continuing order until disposed of for the 46th legislative day at 3 o'clock P. M.

Which was read and referred to the Committee on Rules.

RECESS.

On motion of Mr. Brown, the Senate, at 1:10 P. M., took a recess until 2:30 o'clock this afternoon.

AFTERNOON SESSION—FORTY-FIFTH DAY.

September 15, 1919.

The Senate re-assembled at 2:30 o'clock P. M., Lieutenant Governor Miller presiding.

ROLL CALL.

On a call of the roll, 25 members answered to their names, a quorum of the Senate.

REPORT FROM RULES COMMITTEE.

Mr. Acker, chairman of the Standing Committee on Rules, reported that said committee, in session, had acted on the following joint resolution and ordered the same returned to the Senate with a favorable report, to-wit:

S. J. R. 140. Resolved by the Senate, the House concurring, That when both houses adjourn today it be till Wednesday morning, September 17th, at 9:30 o'clock A. M.

And on motion of Mr. Acker said report was concurred in and adopted, and said resolution was, under a suspension of the rules, adopted by the Senate.

MOTION TO TAKE FROM ADVERSE CALENDAR.

Pursuant to notice heretofore given, Mr. Morris moved to take from the adverse calendar, have the same read a second time and placed on the regular calendar, the bill:

S. 576. To prescribe the fees for recording deeds, mortgages, and all other papers and documents now required by law to be recorded in the office of probate judges in this State.

Which motion was lost and the Senate refused to take said bill from the adverse calendar.

NOTICE MOTION TO TAKE FROM ADVERSE CALENDAR.

Mr. Prestwood gave to the Senate the following notice in writing:

To the Senate of Alabama:

Notice is hereby given that a motion will be made by the undersigned to take from the adverse calendar and place upon the regular calendar for passage on the next legislative day, House bill No. 565.

September 15, 1919.

J. Morgan Prestwood,
Sen. 17th Sen. Dist."

Mr. Briscoe gave to the Senate the following notice in writing:

Notice is hereby given that the undersigned will on the next legislative day make a motion to take from the adverse calendar, Senate bill number 678.

A. W. Briscoe."

REPORT FROM RULES COMMITTEE.

Mr. Acker, chairman of the Standing Committee on Rules, reported that said committee, in session, had acted on the following resolutions and ordered same returned to the Senate with a favorable report, to-wit:

S. R. 142. Be it resolved by the Senate, That Senate bill No. 466, be made a special, paramount, continuing order until disposed of for the forty-sixth legislative day at 3 o'clock P. M.

Also:

By Rules Committee:

S. R. 143. Resolved by the Senate, That the Senate go into a Committee of the Whole on today at 3 o'clock P. M., for the consideration of all bills carrying appropriations for educational and kindred institutions.

Resolved further, That after the disposition of said bills by said committee, all other appropriations be considered.

And on motion of Mr. Acker said report was concurred in and said resolutions, S. R. 142 and S. R. 143, were, under a suspension of the rules, adopted by the Senate.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has concurred in and adopted the Conference report on the disagreement of the two houses on the Senate amendment to the bill:

H. 712. To provide for the consolidation of adjacent or contiguous cities having each a population between four thousand and six thousand five hundred, according to the last preceding official and published Federal census, and to provide for the organization and officers of such consolidated city.

Said conference report being as follows:

To the President of the Senate and Speaker of the House:

We, your Conference Committee appointed by the President of the Senate and the Speaker of the House on the disagreement of the two houses on H. 712, beg leave to report as follows: We recommend that the Senate recede from its amendment.

Respectfully,

W. H. Smith,
W. A. Gunter, Jr.,
A. A. Griffith,
On part of Senate.
O. L. Tompkins,
Chauncey Sparks,
S. A. Lynne,
On part of the House.

CONFERENCE REPORT.

On motion of Mr. Gunter, the Senate concurred in and adopted the report of the Committee of Conference on the disagreement of the two houses on the Senate amendment to House bill No. 712, the title of which is set out in the foregoing message from the House, and said conference report being also set out in the foregoing message from the House.

Yeas, 20; nays, 0.

Yeas:

Messrs:

Acker	Craft	Harper	Rogers (Lauderdale)
Beale	Espy	Leith	Rogers (Sumter)
Carlton	Evins	Morris	Sims
Carmichael	Griffith	McDowell	Smith (Coosa)
Cowan	Gunter	Nance	Tally

—20

Nays:—None.

MOTION TO HOLD NIGHT SESSION.

Mr. Beale moved that when the Senate recesses this afternoon, it be to reconvene tonight at 8:30 o'clock P. M., which motion prevailed.

BILLS ON THIRD READING.

The bill:

H. 848. To detach the counties of Greene, Pickens and Sumter from the sixth judicial circuit, and attach said counties to the Marengo circuit; and fix the time for holding court in said counties, and to designate said circuit the 18th judicial circuit.

Was read a third time at length and passed.

Yeas, 27; nays, 0.

Yeas:

Messrs:

Acker	Cowan	Leith	Rogers (Lauderdale)
Baker	Craft	Miller	Rogers (Sumter)
Beale	Espy	Moore	Sims
Briscoe	Evins	Morris	Smith (Coosa)
Brown	Griffith	McDowell	Tally
Carlton	Gunter	Nance	West
Carmichael	Harper	Prestwood	

—27

Nays:—None.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has amended as therein shown and as amended has passed:

S. 134. To provide for the organization or admission and the regulation and taxation of incorporated mutual insurance companies, other than life.

Also:

S. 26. To provide for the employment of State convicts in mining coal on the coal lands of the University of Alabama.

And returns same herewith to the Senate.

Fred H. Gormley,
Clerk.

HOUSE MESSAGE.

On motion of Mr. Sims, the Senate concurred in the following amendment by the House to Senate bill No. 134, the title of which is set out in the foregoing message from the House, to-wit:

AMENDMENT SENATE BILL 134.

Amend section 18 so as to read as follows:

Section 18. That all laws or parts of laws in conflict with the provisions of this act shall not apply to or be enforced against companies formed under the provision of this act, provided that the provisions of this act shall not apply to or affect any company or insurance company as defined in section 4543 (2575) of the Code of Alabama, 1907, except those organized under the provisions of this act. But any such company may by due and legal amendment of its charter and articles of association, adopt and become subject to the provisions of this act, when such amendments shall have been submitted to and approved by the commissioner of insurance, any company so electing and fully complying with this act may hereafter effect such kinds of insurance as are authorized by this act, and specified in its charters and articles of association then in force or that as then or thereafter amended.

Amend by adding following section:

Section 19. That any such mutual company shall keep its books and records in such form as shall facilitate their examination by the State examiners.

Amend section 16 so as to read as follows:

Section 16. That the taxable premiums or premium receipts of any mutual insurance company organized in or admitted to this State under this act for the purpose of premium taxation anywhere in this State shall be the gross premiums received during the preceding calendar year for insurance upon property or risks in this State or in the municipalities thereof, as the case may be, from which there shall be deducted return premiums, amounts paid for reinsurance upon which a tax has been or is to be paid to the State, and returns to policyholders others than for losses and such premium taxes shall be payable on or before March first in the following year. The following and no other fees and taxes shall be payable by such mutual insurance companies: The franchise tax based on the amount of capital actually employed in the State; the usual certificate or license fee for each soliciting agent; and the annual license and filing fee, fire marshal tax and usual gross premium tax now imposed by law on reciprocal or interinsurance exchanges. The above fees

and taxes shall be paid to the State. Municipalities may also collect a privilege or license tax on gross premiums at such rate, not higher than the State rate on gross premiums, as may be hereafter fixed by ordinance. The usual ad valorem tax on real and personal property shall also be paid by such mutual insurance companies.

Amend section 4 so that the same shall read as follows:

"Section 4. That such articles shall be submitted to the insurance commissioner for examination and if found to be prepared in accordance with this act, he shall approve and file the same in his office. It shall then be the duty of the insurance commissioner to furnish the corporation with a certificate, which shall be its authority to solicit applications. Provided, that before such certificate to solicit applications is furnished by the insurance commissioner, the incorporators shall furnish a good and sufficient bond, to be approved by him, in the sum of ten thousand dollars, conditioned that it shall be available to pay fire or casualty losses, as the case may be, suffered by applicants who have cancelled or lapsed existing insurance policies due to misrepresentation, verbal or written, of the incorporators or their agents that the signing of applications for insurance and prepayment of premiums in such proposed company provided insurance protection prior to being licensed by the insurance commissioner to issue policies of insurance. Six months after said license is issued to such company, said bond shall be void and shall be returned to the incorporators unless claim has been made against said bond. And provided, further, that the form of application blank used in organizing any such proposed company shall plainly state that such application and prepayment of premium does not furnish insurance protection during the period of organization and that said proposed company is not permitted by law to issue insurance policies until licensed to do so by the insurance commissioner.

Amend section 12, so that the same shall read as follows:

"Section 12. That such company not possessed of assets at least equal to the unearned premium reserve and other liabilities shall make an assessment upon its members liable to assessment to provide for such deficiency, such assessment to be against each such member in proportion to such liability as expressed in his policy which liability shall not be less than one additional contingent premium equal to the cash premium unless the company has a surplus equal to the capital stock and surplus required of a domestic stock company transacting the same kind of insurance."

Amend sub-section (d) of section 14 so that the same shall read as follows:

"Section 14. (d) Filed a financial statement under oath, in such form as the insurance commissioner may require, and have compiled with other provisions of law applicable to the filing of papers and furnishing information by stock companies on application for authority to transact the same kind of insurance. Such financial statement must show that the company seeking to be licensed in this State has assets in cash, mortgages or other securities approved by the insurance commissioner, not less in amount than one hundred thousand dollars, and that its surplus over and above all liabilities is not less in amount than fifty thousand dollars."

Amend sub-section (c) of section 7 so that the same shall read as follows:

"Section 7. (c) It shall have collected a premium upon each application which premium shall be held in cash and the total of which premiums shall be equal in case of fire insurance to not less than twice the maximum single risk assumed subject to one fire nor less than ten thousand dollars and the total of which premiums in any other kind of insurance shall not be less than five times the maximum single risk assumed, and in case of workmen's compensation insurance the total of which premiums shall not be less than fifty thousand dollars."

Yeas, 20; nays, 1.

Yeas:

Messrs:

Acker	Cowan
Baker	Craft
Beale	Espy
Carlton	Evins
Carmichael	Gunter

Harper
Miller
McDowell
Nance
Phillips

Rogers (Sumter)
Sims
Smith (Coosa)
Tally
West

—20

Nays:

Mr. Leith—1.

HOUSE MESSAGE.

On motion of Mr. Rogers of Sumter, the Senate concurred in the following amendment by the House to Senate bill No. 26, the title of which is set out in the foregoing message from the House, to-wit:

AMENDMENTS TO S. 26.

Amend Senate bill by adding section eight, and amend the caption of said bill:

Section 8. That on and after January 1st, 1923, it shall be unlawful for any person to lease or let for hire, any State or county convict to any person, firm or corporation, and any person found guilty of a violation of this section shall be punished

at the discretion of the jury by a fine not to exceed five thousand dollars or by imprisonment for not more than five years.

Amend caption by adding at close thereof the words, "And to abolish the lease system and to provide a penalty for a violation thereof."

Amend by adding:

Nothing in the provisions of this act shall prevent the highway department from working convicts on the public roads.

Amend by striking out section 6.

Yeas, 20; nays, 0.

Yeas:

Messrs:

Baker	Craft	Miller	Rogers (Sumter)
Beale	Evins	Moore	Sims
Briscoe	Gunter	McDowell	Smith (Coosa)
Carlton	Harper	Nance	Tally
Cowan	Leith	Phillips	West

—20

Nays:—None.

CONSIDERATION OF BILL LAID ON SECRETARY'S DESK.

On motion of Mr. Evins, the Senate proceeded to consider the bill:

S. 400. To fix the salary of the several circuit judges in Alabama.

And the House amendment thereto.

And on motion of Mr. Evins, the Senate non-concurred in the following amendment by the House to said bill, to-wit:

Amend S. 400, by adding thereto the following:

Provided that in circuits now or hereafter composed of only one county and having two or omre judges, and in which salaries are paid to such judges by the counties constituting such circiuts, in addition to the salaries paid by the State, such salaries shall continue to be paid to each of the judges in such circuits by the respective counties composing said circuits in the manner now provided, which salaries so paid by the counties shall be in addition to the salary herein provided to be paid by the State.

Strike out the words \$4,500.00 where they appear and insert the figures \$3,600.00.

And request a Committee of Conference of three members from each House. And pursuant to such request, the President of the Senate appointed as conferees on part of the Senate Messrs. Evins, Miller and Phillips.

REPORT OF SECRETARY.

To the Senate:

Under joint rule No. 5, I respectfully report the delivery of the following bills to the governor:

S. 398. To fix the salaries of the several justices of the Supreme Court.

Delivered to the governor September 15, 1919, at 11 o'clock A. M.

S. 399. To fix the salary of the several judges of the Court of Appeals.

Delivered to the governor September 15, 1919, at 11 o'clock A. M.

S. 412. To amend section 4 of "An act to fix the compensation of circuit judges, circuit solicitors, and assistant solicitors in all circuits of the State of Alabama which circuits are composed of only one county and having two or more judges, or which circuits may hereafter have two or more judges, and to provide that a portion of such salaries be paid out of the county treasury of the counties constituting the respective circuits.

Delivered to the governor September 15, 1919, at 4:30 o'clock P. M.

Respectfully,

W. F. Miller,
Secretary.

SECRETARY'S REPORT.

The above report of the Secretary was read at length and ordered spread upon the Journal.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has originated and passed the following bills:

H. 692. To provide for the annexation of Bay, Calhoun, Escambia, Holmes, Jackson, Okaloosa, Santa Rosa, Walton and Washington counties in West Florida to the State of Alabama, with the assent of the State of Florida and the Congress of the United States.

Also:

H. 306. To provide for the levy and collection of an inheritance or succession tax for the State of Alabama.

Also:

H. 512. To provide for absent qualified electors of the State of Alabama to vote in any general, special or municipal election in this State while absent from the State or from the county or precinct in which he is a qualified elector; to provide the method of carrying out such provision; and to require election officers and others charged with duties hereunder to perform duties in connection therewith.

And sends same herewith to the Senate.

Fred H. Gormley,
Clerk.

HOUSE MESSAGE.

The House bills in the foregoing House message were severally read once and referred to appropriate standing committees, as follows:

- H. 692. To the Committee on Public Roads and Highways.
- H. 306. To the Committee on Finance and Taxation.
- H. 512. To the Committee on Privileges and Elections.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has passed the following Senate bills:

S. 214. To amend article 2, section 7417 of the Code of 1907.

S. 361. To prescribe the term of training for nurses in hospital and schools in Alabama, and the method of certification as such.

And returns same herewith to the Senate.

Fred H. Gormley,
Clerk.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has originated and passed the following bills and ordered same sent to the Senate without engrossment:

H. 725. To prevent the tethering, tying out or staking out of any cow, calf, horse, mule, hog, goat, sheep or other live stock or animal upon any public road in this State or along the side of or so near to any public road that such animal so tethered, tied out or staked out may go upon the public road.

Also:

H. 704. To amend section 3465 of the Code of Alabama.

Also:

H. 442. To change the name of the "Mercy Home Industrial School for Girls," located at Birmingham, Alabama, to the Alabama Vocational School for Girls, and to provide appropriations for the support, maintenance and improvement of the same.

Also:

H. 806. To authorize the court of county commissioners, the board of revenue and road commissioners, or like body, in each county in this State to provide telephones for the offices of clerks and registers of the circuit court, the office of the sheriff, and the office of the jailer and judge of probate, in their respective counties."

Fred H. Gormley,
Clerk.

HOUSE MESSAGE.

The House bills in the foregoing House message were severally read once and referred to appropriate standing committees, as follows:

- H. 725. To the Committee on Agriculture.
- H. 704. To the Committee on Corporations.
- H. 442. To the Committee on Municipal Organizations.
- H. 806. To the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has concurred in and adopted S. J. R. 140, relative to adjournment of the two houses until Wednesday morning, September 17th, at 9:30 A. M.

And returns same to the Senate.

Fred H. Gormley,
Clerk.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has originated and passed the following bill:

H. 726. To create and establish the Alabama Patriotic Society, to define its scope and purposes, to provide for the appointment by the governor of its officers, to prescribe the manner in which their successors shall be chosen, and to define their functions.

And ordered same sent forthwith to the Senate without engrossment.

Fred H. Gormley,
Clerk.

HOUSE MESSAGE.

The House bill in the foregoing House message was read once and referred to appropriate standing committee, as follows:

H. 726. To the Committee on Education.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has passed the following Senate bill:

S. 523. To authorize divorce for abandonment whenever a party, who has deserted his or her consort for more than ten months, fails to return to the performance of his or her marital obligations within sixty days after notice.

And returns same herewith to the Senate.

Fred H. Gormley,
Clerk.

BILLS ON THIRD READING RESUMED.

The bill:

S. 309. To provide for the establishment and maintenance of a home for mental inferiors in Alabama; to define who are mental inferiors; to provide for their care, treatment, and training, and to appropriate the money necessary therefor from the State treasury.

Was taken up.

Mr. Prestwood offered the following amendment to said bill.

Amend section 20 of Senate bill No. 309, by adding thereto the following: Provided, that no person herein provided for removal from a poor house, jail, orphanage or a boarding school in this State to said Home, shall be removed until it is judicially determined by the circuit court or probate court of the county in which said person resides, that said person is a mental inferior as defined in this act.

Which was adopted.

Yeas, 27; nays, 0.

Yeas:

Messrs:

Acker	Craft	Miller	Rogers (Lauderdale)
Baker	Espy	Moore	Rogers (Sumter)
Beale	Evins	Morris	Sims
Briscoe	Griffith	McDowell	Smith (Coosa)
Carlton	Gunter	Nance	Tally
Carmichael	Harper	Phillips	West
Cowan	Leith	Prestwood	

—27

Nays:—None.

And said bill, as thus amended, was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 21; nays, 7.

Yeas:

Messrs:

Acker	Cowan	Huddleston	Phillips
Beale	Craft	Kelly	Rogers (Sumter)
Briscoe	Espy	Miller	Sims
Caffey	Gunter	McDowell	Smith (Coosa)
Carlton	Harper	Nance	West
Carmichael			

—21

Nays:

Messrs:

Baker	Griffith	Morris	Tally
Evins	Leith	Prestwood	

—7

The bill:

S. 680. To provide for holding district and county fairs for boys' agricultural and girls' home demonstration clubs; to prescribe the manner in which they shall be held; to create boards of directors for district and county fairs for boys' agricultural and girls' home demonstration clubs in each county; to create fair districts for boys' agricultural and girls' home demonstration clubs in each county; to create fair district committees for boys' agricultural and girls' home demonstration clubs in each county; to provide for holding meetings of instruction for members of the boys' agricultural and girls' home demonstration clubs; to make appropriations for such fairs and to prescribe methods for drawing and spending same.

Was taken up.

Mr. Morris offered the following amendment to said bill:

Amend section 4 by striking out the word "shall" where it first occurs in said section and by inserting in lieu thereof the word "may."

Amend section 5 by striking out the word "shall" where it first appears in said section and by inserting in lieu thereof the word "may."

Which was adopted.

Yeas, 25; nays, 0.

Yeas:

Messrs:

Acker	Craft	Huddleston	Prestwood
Baker	Espy	Leith	Rogers (Lauderdale)
Beale	Evins	Morris	Rogers (Sumter)
Caffey	Griffith	McDowell	Smith (Coosa)
Carlton	Gunter	Nance	Tally
Carmichael	Harper	Phillips	West
Cowan			

—25

Nays:—None.

And said bill, as thus amended, was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 24; nays, 1.

Yeas:

Messrs:

Acker	Carlton	Griffith	Nance
Baker	Carmichael	Gunter	Phillips
Beale	Cowan	Harper	Rogers (Sumter)
Briscoe	Craft	Leith	Smith (Coosa)
Brown	Espy	Morris	Tally
Caffey	Evins	McDowell	West

—24

Nays:

Mr. Huddleston—1.

The bill:

H. 555. To divide the State into judicial circuits for the circuit court, to be numbered and composed of the counties named.

Was taken up.

Mr. Acker offered the following amendment to said bill:

Amend section 1 of said bill so that section 1 will read as follows:

Section 1. The State of Alabama is hereby divided into judicial circuits for the circuit courts, which circuits are numbered and composed of counties as follows:

First circuit.—Choctaw, Clarke, Monroe and Washington.

Second circuit.—Baldwin, Butler, Conecuh, Crenshaw, Escambia and Lowndes.

Third circuit.—Barbour, Bullock, Dale and Russell.

Fourth circuit.—Bibb, Dallas, Hale, Perry and Wilcox.

Fifth circuit.—Chambers, Lee, Macon, Randolph and Tallapoosa.

Sixth circuit.—Tuscaloosa.

Seventh circuit.—Calhoun, Cleburne and Talladega.

Eighth circuit.—Cullman, Lawrence, Limestone, Madison and Morgan.

Ninth circuit.—Cherokee, DeKalb, Jackson and Marshall.

Tenth circuit.—Jefferson.

Eleventh circuit.—Colbert, Franklin and Lauderdale.

Twelfth circuit.—Coffee, Covington and Pike.

Thirteenth circuit.—Mobile.

Fourteenth circuit.—Fayette, Lamar, Marion, Walker and Winston.

Fifteenth circuit.—Montgomery.

Sixteenth circuit.—Blount, Etowah and St. Clair.

Seventeenth circuit.—Marengo, Green, Pickens and Sumter.

Eighteenth circuit.—Clay, Coosa and Shelby.

Nineteenth circuit.—Autauga, Chilton and Elmore.

Twentieth circuit.—Geneva, Henry and Houston.

Amend section 5 so that section 5 will read as follows:

Section 5. Upon the passage and approval of this act there shall be appointed by the governor a judge and solicitor for the eighteenth judicial circuit created by this act.

Mr. Leith offered the following amendment to the amendment offered by Mr. Acker, to-wit:

Amend the amendment by striking out of said amendment out of the fourteenth circuit, the word "Winston" and insert the word Winston following the word "Colbert."

Mr. Carmichael moved to table the amendment offered by Mr. Leith, which motion prevailed, and said amendment was laid on the table.

And the amendment offered by Mr. Acker was then adopted.
Yeas, 26; nays, 2.

Yeas:

Messrs:

Acker	Cowan	Kelly	Nance
Beale	Espy	Leith	Phillips
Briscoe	Evins	Miller	Rogers (Sumter)
Brown	Griffith	Moore	Sims
Caffey	Gunter	Morris	Smith (Coosa)
Carlton	Harper	McDowell	Tally
Carmichael	Huddleston		

—26

Nays:

Messrs:

Prestwood	West
-----------	------

—2

Mr. Kelly offered the following amendment to said bill:

Amend section 1 of the bill as follows:

Strike out the words Baldwin, Conecuh, Escambia, and Monroe where they now appear in said section and add thereto the following:

Twenty-first circuit.—Baldwin, Conecuh, Escambia and Monroe.

Further amend the bill by adding thereto sections 11, 12 and 13, as follows:

Section 11. Within thirty days after the passage and approval of this act the governor shall appoint a judge of said 21 circuit, who shall hold office till the general election to be held in 1922, at which time a judge shall be elected for the said 21 circuit as provided by law for the election of circuit judges in this State.

Section 12. That if after the expiration of thirty days from the approval of this act the solicitor of the second judicial circuit shall be a resident of any of the counties composing the 21 circuit, such solicitor shall be the solicitor of the 21 circuit, but should such solicitor of the second circuit not be a resident of any of the counties composing the 21 circuit within thirty days after the approval of this act, then the governor shall appoint a solicitor of the 21 circuit who shall hold office till the general election of 1922, at which time a solicitor for the 21 circuit shall be elected as provided by law for the election of circuit solicitors in this State.

Section 13. That the judge and solicitor of the 21st circuit herein created shall not assume the duties of their respective offices until after the expiration of thirty days from the approval of this act, and the present judges and solicitors of the circuit

court of the several counties composing the 20th circuit shall continue to exercise their respective duties in said several counties for thirty days after the approval of this act.

Mr. Prestwood moved to lay the amendment of Mr. Kelly on the table, which motion was lost.

Yeas, 8; nays, 19.

Yeas:

Messrs:

Baker

Caffey
Carlton

Morris
Nance

Prestwood
Tally

—8

Nays:

Messrs:

Acker

Evins
Griffith

Kelly
Leith

Rogers (Sumter)

Beale

Gunter

Miller

Sims

Carmichael

Harper

Moore

Smith (Coosa)

Craft

Huddleston

McDowell

West

—19

And the amendment offered by Mr. Kelly was then adopted.

Yeas, 19; nays, 7.

Yeas:

Messrs:

Acker

Espy
Griffith

Kelly
Leith

Rogers (Sumter)

Beale

Gunter

Miller

Sims

Briscoe

Harper

Moore

Smith (Coosa)

Carmichael

Huddleston

McDowell

West

—19

Nays:

Messrs:

Baker

Carlton
Morris

Nance
Prestwood

Tally

—7

And said bill, as thus amended, was read a third time at length and passed.

Yeas, 23; nays, 3.

Yeas:

Messrs:

Acker

Carmichael
Cowan

Harper
Huddleston

Phillips

Beale

Craft

Leith

Prestwood

Briscoe

Espy

Miller

Sims

Brown

Evins

McDowell

Smith (Coosa)

Caffey

Griffith

Nance

West

—23

Nays:

Messrs:

Baker

Morris

Tally

—3

The bill:

S. 664. To amend section one of an act entitled, "An act to designate certain public roads of the State of Alabama as State trunk roads and to provide the manner in which such roads shall be located, improved and maintained," approved September 10th, 1915.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 27; nays, 0.

Yeas:

Messrs:

Baker	Cowan	Kelly	Prestwood
Beale	Craft	Leith	Rogers (Sumter)
Briscoe	Espy	Miller	Sims
Brown	Evins	Morris	Smith (Coosa)
Caffey	Griffith	McDowell	Tally
Carlton	Gunter	Nance	West
Carmichael	Harper	Phillips	

—27

Nays:—None.

The bill:

S. 568. To amend section 1 of the act entitled, "An act to regulate the fees of the sheriffs for feeding prisoners in jail under charge or conviction of any indictable offense, and to provide the payment therefor.

Was taken up.

The Committee on Finance and Taxation offered the following amendment to said bill, to-wit:

To amend the bill after words indictable offense the following by adding to be paid by the State.

Which was adopted.

Yeas, 27; nays, 0.

Yeas:

Messrs:

Acker	Cowan	Huddleston	Prestwood
Baker	Craft	Kelly	Rogers (Lauderdale)
Beale	Espy	Leith	Sims
Briscoe	Evins	Morris	Smith (Coosa)
Brown	Griffith	McDowell	Tally
Carlton	Gunter	Nance	West
Carmichael	Harper	Phillips	

—27

Nays:—None.

And saill bill, as thus amended, was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 25; nays, 0.

Yeas:

Messrs:

Acker	Craft	Leith	Prestwood
Baker	Espy	Miller	Rogers (Lauderdale)
Beale	Evins	Morris	Sims
Briscoe	Griffith	McDowell	Smith (Coosa)
Brown	Gunter	Nance	Tally
Carlton	Harper	Phillips	West
Cowan			

—25

Nays:—None.

The bill:

S. 418. To amend an act approved September 22, 1915, entitled, "An act to amend sections 541, 543, 544 and 545 of the Code of Alabama.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 28; nays, 0.

Yeas:

Messrs:

Acker	Cowan	Kelly	Prestwood
Baker	Craft	Leith	Rogers (Lauderdale)
Beale	Espy	Miller	Rogers (Sumter)
Briscoe	Evins	Morris	Sims
Brown	Griffith	McDowell	Smith (Coosa)
Carlton	Gunter	Nance	Tally
Carmichael	Harper	Phillips	West

—28

Nays:—None.

The bill:

S. 666. To further regulate stock law districts in the State of Alabama.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 19; nays, 2.

Yeas:

Messrs:

Acker	Carmichael	Morris	Sims
Baker	Craft	McDowell	Smith (Coosa)
Briscoe	Espy	Phillips	Tally
Brown	Gunter	Prestwood	West
Carlton	Miller	Rogers (Lauderdale)	

—19

Nays:

Messrs:

Beale	Harper
-------	--------

—2

The bill:

H. 667. To provide for establishing and holding circuit court at Haleyville, Winston county, Alabama; to fix the jurisdiction thereof, to regulate proceedings therein; to provide officers and juries both grand and petit, for holding said court and for the transaction of the business thereof, and to regulate their duties; to provide for a register and deputy register or clerk for the equity side of said court and to prescribe and regulate their duties.

Was read a third time at length and passed.

Yeas, 27; nays, 0.

Yeas:

Messrs:

Acker	Cowan	Leith	Prestwood
Baker	Craft	Miller	Rogers (Lauderdale)
Beale	Espy	Moore	Sims
Briscoe	Evins	Morris	Smith (Coosa)
Brown	Griffith	McDowell	Tally
Carlton	Gunter	Nance	West
Carmichael	Harper	Phillips	

—27

Nays:—None.

The bill:

S. 656. To provide for bailiffs for the circuit courts in all counties in Alabama having a population of not less than 26,850 and not exceeding 26,890 according to the Federal census of 1910.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas:

Messrs:

Acker	Cowan	Leith	Prestwood
Baker	Craft	Miller	Rogers (Lauderdale)
Beale	Espy	Moore	Rogers (Sumter)
Briscoe	Evins	Morris	Sims
Brown	Griffith	McDowell	Smith (Coosa)
Carlton	Gunter	Phillips	Tally
Carmichael	Harper		

—26

Nays:—None.

The bill:

S. 373. To submit to the qualified voters of the State, at a special election to be held on the proclamation of the governor of Alabama, for their consideration, an amendment to the Constitution of Alabama, allowing the State to engage in, lend its credit or money in certain specified improvements.

Was read a third time at length and lost.

Yeas, 5; nays, 19.

Yeas:

Messrs:

Craft

Gunter

Harper

Rogers (Sumter) West

Nays:

Messrs:

Acker

Baker

Beale

Briscoe

Brown

Carlton

Carmichael

Cowan

Espy

Evins

Miller

Morris

McDowell

Phillips

Prestwood

Rogers (Lauderdale)

Sims

Smith (Coosa)

Tally

—19

MESSAGE FROM THE HOUSE.

Mr. President:

The House has concurred in and adopted:

S. J. R. 120. Relative to Federal aid for the promotion or development of mines and mining engineering in the State of Alabama.

And returns same herewith to the Senate.

Fred H. Gormley,
Clerk.

REPORT FROM COMMITTEE ON ENROLLED BILLS.

Mr. President:

Your Standing Committee on Enrolled Bills beg leave to report that said committee, in session, have compared the following enrolled bills, with the engrossed and original bills, respectively, and find same correctly enrolled, to-wit:

S. 503. To authorize and empower the solicitor, in all circuits in the State of Alabama, having five or more circuit judges, to employ any and all shorthand reporters necessary to properly report the proceedings before the grand jury, and transcribe the same, and stenographer, or stenographers, for the office work of such solicitor; and any and all assistants necessary to properly administer justice in such circuits; and to fix their compensation and the manner of payment of such compensation and salaries; and to incur any and all expense necessary to properly administer justice in such circuits.

S. 170. Authorizing and empowering any county in this State in which, or along the coast of which the tides ebb and flow, and any cities or towns, or other municipalities in any such counties, to own, construct, lease and operate electric street railways, interurban electric railways and electric lighting and power plants and hydro-electric power plants, and authorizing such

counties and municipalities in this State to operate and combine and make contracts with each other and with municipalities in other states in the ownership, construction, leasing and operation of electric street railways, electric interurban railways and electric lighting and power plants and hydro-electric power plants; authorizing such counties and municipalities to acquire or lease existing interurban railways and street railways systems; authorizing such counties and municipalities to mortgage electric street railways and interurban railways and power plants and to pledge the revenues derived therefrom, and to issue bonds, secured by such mortgages and pledges; providing for a system of allotting and prorating the cost of electric interurban railways; providing for the election of commissioners by such counties and municipalities to represent such counties or municipalities in the ownership, construction, leasing and management of interurban railways; providing that such commissioners shall keep a public record of their proceedings and publish the same, and providing for the exercise of the right of eminent domain by counties and municipalities or by commissioners representing them; and to provide for elections in counties and municipalities to decide whether they wish to adopt the privileges herein authorized.

S. 244. To repeal an act entitled, "An act to make mandatory the working of the male county convicts of Covington county on the public roads, bridges and public works of said county, and providing therefor," approved September 10th, 1915.

S. 267. To amend section 1 of an act entitled an act to designate certain public roads of the State of Alabama as State trunk roads and to provide the manner in which such roads shall be located, improved and maintained, approved September 10, 1915.

S. 382. To regulate and provide for the military forces of the State of Alabama, and to promote its efficiency; to prescribe rules, regulations and means for its organization, armament, equipment, discipline, control and supervision; to provide for its maintenance, support and upkeep; to provide means for the enforcement of this act; and to fix penalties and punishments for the violation of this act.

S. 573. To confer additional criminal jurisdiction on inferior courts or courts established in lieu of justices of the peace by whatsoever name called, on which courts criminal jurisdiction is now by law conferred, in counties having a population of over one hundred and fifty thousand, according to the last or any subsequent Federal census.

S. 522. To amend an act entitled an act "To ratify, confirm, and validate the census of the cities and towns in the State of

Alabama, of seven (7,000) thousand inhabitants and less, where the same has been taken as provided by the Code of Alabama of 1907, and the report of the same filed in the office of the secretary of State," approved April 4th, 1911.

S. 525. To regulate and define the power and jurisdiction of constables in all counties in the State of Alabama having a population of 200,000 or more, according to the last or any future Federal census.

S. 516. To repeal an act entitled, "An act to provide a better system of public roads for Chambers county."

S. 442. To create the office of State fire marshal, and to provide for the appointment of deputy marshal and assistant; to define their powers and duties and to fix their compensation; provide ways and means for the enforcement of this act and penalties for violation thereof; and to provide means for defraying the expenses incurred under the provisions hereof.

S. 449. To designate a certain road a State trunk road in Cherokee county, Alabama.

S. 459. To alter or re-arrange the boundary lines of the city of Fairfield, Alabama.

S. 458. To alter or re-arrange the boundary lines of the city of Birmingham, Alabama, so as to exclude from the city of Birmingham certain territory now included in the corporate limits of said city of Birmingham.

S. 541. To divide the county of Marengo into four commissioners court districts; to provide for the election of one qualified elector residing in said district as county commissioner from said district, by the qualified electors of the entire county of Marengo.

S. 416. To designate a certain public road of Alabama as a State trunk road, and to provide the manner in which said road shall be improved and maintained.

S. 446. To provide that mechanics' and material men's lien and the right of enforcement thereof in Covington county, Alabama, shall attach and apply to property of a married woman where the service or labor is performed or the materials furnished with her knowledge and consent under a contract with the husband, and upon property owned jointly by husband and wife when the service or labor is performed or materials furnished under a contract with either or both, with the knowledge and consent of the other; to provide that no homestead right shall defeat such lien or the enforcement thereof; and to prescribe what shall be deemed to be consent within the meaning of this act.

S. 454. To amend section 1 of an act entitled, "An act to designate certain public roads of the State of Alabama as State

trunk roads and to provide the manner in which such roads shall be located, improved and maintained, approved September 10, 1915."

S. 417. To designate a certain public road of Alabama as a State trunk road.

S. 229. To amend section one of an act entitled, "An act to designate certain public roads of the State of Alabama as State trunk roads and to provide the manner which such roads shall be located, improved, and maintained," approved September 10th, 1915.

S. 293. To amend section 928 of the Code of Alabama of 1907.

S. 392. To provide for the payment of witnesses before the grand juries, the State witnesses in all criminal cases, and the fees and commissions of the sheriff and clerks of the circuit court and ex-officio clerk of the county court of Pike county, Alabama, in all criminal cases in which the State fails to convict, out of the general fund of said county.

S. 216. To promote the sale of farm loan bonds issued by the Federal land banks organized under the provisions of the farm loan act.

S. 295. To authorize any bank or trust company incorporated under the laws of the State of Alabama to become a member of a Federal reserve bank, and in such event to be subject to all the provisions of the act of Congress known as the Federal Reserve Act and amendments thereto; to provide and define the reserves to be kept by banks and trust companies incorporated under the laws of this State which are or may become such members of the Federal reserve system; to permit the authorities of this State which supervise and examine banks and trust companies organized under its laws, to accept the examinations and audits made pursuant to the Federal reserve act of such banks and trust companies as become members of the Federal reserve system, and to furnish information to the authorities of the Federal reserve system as to such bank.

S. 490. To close and abandon certain described portions of certain streets, avenues, alleys, etc., in the city of Sheffield, county of Colbert, and State of Alabama, and certain wharves, docks, landing places and other public places within the said city of Sheffield, county of Colbert and the State of Alabama.

S. 393. To regulate the fine and forfeiture fund of Pike county, Alabama, and provide for the registration and payment of claims against said fund.

S. 514. To amend an act to regulate inferior courts in cities having more than 35,000 population, according to the last or any

subsequent Federal census, to prescribe the jurisdiction of such courts, and provide for the number and compensation of the judges for such courts and to provide for the appointment and compensation of the clerks and assistant clerks thereof, and to abolish the office of justice of the peace in such cities," the said act being approved September 25, 1915.

S. 526. To provide for the appointment of deputy circuit solicitors in all circuits in this State having more than five circuit judges, or which circuits may hereafter have more than five circuit judges, to fix their compensation and to provide the way and manner of paying the same.

S. 547. To authorize municipal corporations having a population of not less than 6,689 inhabitants nor more than 7,000 inhabitants according to the last Federal census or any subsequent Federal census that may be hereafter taken, to improve streets and sidewalks and sections of streets and sidewalks, by the construction of electric lighting systems known as "White Ways," and charge the expense thereof to the abutting property owners, provided the cost of such construction shall not be in excess of the increased value of said property charged with such improvement, and provided such lighting system shall not apply to nor include overhead street lighting; and to provide for such municipal corporations to maintain such lighting systems after they have been established, and to provide and pay for the cost of the current and expense of such maintenance thereafter.

S. J. R. 111. Relative to requesting Congress of the U. S. to amend the highway bill.

Chas. McDowell, Jr.,
Chairman.

SIGNING OF BILLS.

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the following bills and joint resolution:

S. 503. To authorize and empower the solicitor, in all circuits in the State of Alabama, having five or more circuit judges, to employ any and all shorthand reporters necessary to properly report the proceedings before the grand jury, and transcribe the same, and stenographer, or stenographers, for the office work of such solicitor; and any and all assistants necessary to properly administer justice in such circuits; and to fix their compensation and the manner of payment of such compensation

and salaries; and to incur any and all expense necessary to properly administer justice in such circuits.

S. 170. Authorizing and empowering any county in this State in which or along the coast of which the tides ebb and flow, and any cities or towns or other municipalities in any such counties, to own, construct, lease and operate electric street railways, interurban electric railways and electric lighting and power plants and hydro-electric power plants, and authorizing such counties and municipalities in this State to co-operate and combine and make contracts with each other and with municipalities in other states in the ownership, construction, leasing and operation of electric street railways, electric interurban railways and electric lighting and power plants and hydro-electric power plants; authorizing such counties and municipalities to acquire or lease existing interurban railways and street railway systems; authorizing such counties and municipalities to mortgage electric street railways and interurban railways and power plants and to pledge the revenues derived therefrom and to issue bonds, secured by such mortgages and pledges; providing for a system of allotting and prorating the cost of electric interurban railways; providing for the election of commissioners by such counties and municipalities to represent such counties or municipalities in the ownership, construction, leasing, and management of interurban railways; providing that such commissioners shall keep a public record of their proceedings and publish the same, and providing for the exercise of the right of eminent domain by counties and municipalities or by commissioners representing them; and to provide for elections in counties and municipalities to decide whether they wish to adopt the privileges herein authorized.

S. 244. To repeal an act entitled, "An act to make mandatory the working of the male county convicts of Covington county on the public roads, bridges and public works of said county, and providing therefor," approved September 10th, 1915.

S. 267. To amend section 1 of an act entitled an act to designate certain public roads of the State of Alabama as State trunk roads and to provide the manner in which such roads shall be located, improved and maintained, approved September 10, 1915.

S. 382. To regulate and provide for the military forces of the State of Alabama, and to promote its efficiency; to prescribe rules, regulations and means for its organization, armament, equipment, discipline, control and supervision; to provide for its maintenance, support and upkeep; to provide means for the enforcement of this act; and to fix penalties and punishments for the violation of this act.

S. 573. To confer additional criminal jurisdiction on inferior courts or courts established in lieu of justices of the peace

by whatsoever name called, on which courts criminal jurisdiction is now by law conferred, in counties having a population of over one hundred and fifty thousand, according to the last or any subsequent Federal census.

S. 522. To amend an act entitled an act "To ratify, confirm, and validate the census of the cities and towns in the State of Alabama, of seven (7,000) thousand inhabitants and less, where the same has been taken as provided by the Code of Alabama of 1907, and the report of the same filed in the office of the secretary of State," approved April 4th, 1911.

S. 525. To regulate and define the power and jurisdiction of constables in all counties in the State of Alabama having a population of 200,000 or more, according to the last or any future Federal census.

S. 516. To repeal an act entitled, "An act to provide a better system of public roads for Chambers county."

S. 442. To create the office of State fire marshal, and to provide for the appointment of deputy marshal and assistant; to define their powers and duties and to fix their compensation; provide ways and means for the enforcement of this act and penalties for violation thereof; and to provide means for defraying the expenses incurred under the provisions hereof.

H. 449. To vacate the dedication of all streets, avenues and alleys through, over, on or across the following described property situated in the city of Birmingham, Jefferson county, Alabama, to-wit: That tract of land bounded on the north by avenue "B," or Second avenue, south, on the east by Ninth street and the right of way of the Louisville & Nashville Railroad company, on the south by the right of way of the Louisville & Nashville Railroad company and avenue "D," or Fourth avenue, south, on the west by Seventh street.

S. 459. To alter or rearrange the boundary lines of the city of Fairfield, Alabama.

S. 458. To alter or re-arrange the boundary lines of the city of Birmingham, Alabama, so as to exclude from the city of Birmingham certain territory now included in the corporate limits of said city of Birmingham.

S. 541. To divide the county of Marengo into four commissioners court districts; to provide for the election of one qualified elector residing in said district as county commissioner from said district, by the qualified electors of the entire county of Marengo.

S. 416. To designate a certain public road of Alabama as a State trunk road, and to provide the manner in which said road shall be improved and maintained.

S. 446. To provide that mechanics' and material men's liens and the right of enforcement thereof in Covington county, Alabama, shall attach and apply to property of a married woman where the service or labor is performed or the materials furnished with her knowledge and consent under a contract with the husband, and upon property owned jointly by husband and wife when the service or labor is performed or materials furnished under a contract with either or both, with the knowledge and consent of the other; to provide that no homestead right shall defeat such lien or the enforcement thereof; and to prescribe what shall be deemed to be consent within the meaning of this act.

S. 454. To amend section 1 of an act entitled, "An act to designate certain public roads of the State of Alabama as State trunk roads and to provide the manner in which such roads shall be located, improved and maintained, approved September 10, 1915."

S. 417. To designate a certain public road of Alabama as a State trunk road.

S. 229. To amend section one of an act entitled, "An act to designate certain public roads of the State of Alabama as State trunk roads and to provide the manner which such roads shall be located, improved, and maintained," approved September 10th, 1915.

S. 293. To amend section 928 of the Code of Alabama of 1907.

S. 392. To provide for the payment of witnesses before the grand juries, the State witnesses in all criminal cases, and the fees and commissions of the sheriff and clerks of the circuit court and ex-officio clerk of the county court of Pike county, Alabama, in all criminal cases in which the State fails to convict, out of the general fund of said county.

S. 216. To promote the sale of farm loan bonds issued by the Federal land banks organized under the provisions of the farm loan act.

S. 295. To authorize any bank or trust company incorporated under the laws of the State of Alabama to become a member of a Federal reserve bank, and in such event to be subject to all the provisions of the act of Congress known as the Federal reserve act and amendments thereto; to provide and define the reserves to be kept by banks and trust companies incorporated under the laws of this State which are or may become such members of the Federal reserve system; to permit the authorities of this State which supervise and examine banks and trust companies organized under its laws to accept the examination and audits made

pursuant to the Federal reserve act of such banks and trust companies as become members of the Federal reserve system, and to furnish information to the authorities of the Federal reserve system as to such State banks.

S. 490. To close and abandon certain described portions of certain streets, avenues, alleys, etc., in the city of Sheffield, county of Colbert, and State of Alabama, and certain wharves, docks, landing places and other public places within the said city of Sheffield, county of Colbert and the State of Alabama.

S. 393. To regulate the fine and forfeiture fund of Pike county, Alabama, and provide for the registration and payment of claims against said fund.

S. 514. To amend an act to regulate inferior courts in cities having more than 35,000 population, according to the last or any subsequent Federal census, to prescribe the jurisdiction of such courts, and provide for the number and compensation of the judges for such courts and to provide for the appointment and compensation of the clerks and assistant clerks thereof, and to abolish the office of justice of the peace in such cities." The said act being approved September 25, 1915.

S. 526. To provide for the appointment of deputy circuit solicitors in all circuits in this State having more than five circuit judges, or which circuits may hereafter have more than five circuit judges, to fix their compensation and to provide the way and manner of paying the same.

S. 547. To authorize municipal corporations having a population of not less than 6,689 inhabitants nor more than 7,000 inhabitants according to the last Federal census or any subsequent Federal census that may be hereafter taken, to improve streets and sidewalks, and sections of streets and sidewalks, by the construction of electric lighting systems known as "White Ways" and charge the expense thereof to the abutting property owners, provided the cost of such construction shall not be in excess of the increased value of said property charged with such improvement, and provided such lighting system shall not apply to nor include over-head street lighting; and to provide for such municipal corporations to maintain such lighting systems after they have been established and to provide and pay for the cost of the current and expense of such maintenance thereafter.

S. J. R. 111. Relative to requesting Congress of the U. S. to amend the highway bill.

RECESS.

On motion of Mr. Morris, the Senate at 6:15 o'clock P. M., took a recess until 8:30 o'clock tonight.

NIGHT SESSION—FORTY-FIFTH DAY.

Monday, September 15th, 1919.

The Senate reassembled at 8:30 o'clock P. M., Lieutenant Governor Miller presiding.

ROLL CALL.

On a call of the roll 21 members answered to their names, a quorum of the Senate.

BILLS ON THIRD READING.

The bill:

S. 485. To fix the salary of the clerk of the Court of Appeals of Alabama.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 16; nays, 6.

Yeas:

Messrs:

Acker	Craft	Gunter	McDowell
Beale	Espy	Kelly	Sims
Briscoe	Evins	Miller	Tally
Carlton	Griffith	Moore	West

—16

Nays:

Messrs:

Harper	Nance	Prestwood	Smith (Coosa)
Morris	Phillips		

—6

The resolution:

H. J. R. 121. Opposes the passage of the Chamberlain-Kahn compulsory military service bill, and urges the Alabama delegation in Congress to secure the defeat of this measure.

Was read a third time at length and adopted.

Yeas, 19; nays, 1.

Yeas:

Messrs:

Acker	Espy	Kelly	Prestwood
Baker	Evins	Miller	Sims
Beale	Griffith	Morris	Smith (Coosa)
Carlton	Gunter	McDowell	Tally
Craft	Harper	Nance	

—19

Nays:

Mr. West—1.

The bill:

H. 780. To provide for and regulate equalities of right and the order of payment of claims legally chargeable against and payable out of the fine and forfeiture fund of Dale county at present in and hereafter accruing or coming into said fund.

Was read a third time at length and passed.

Yeas, 25; nays, 0.

Yeas:

Messrs:

Acker	Espy	Leith	Phillips
Baker	Evins	Miller	Prestwood
Beale	Griffith	Moore	Sims
Briscoe	Gunter	Morris	Smith (Coosa)
Carlton	Harper	McDowell	Tally
Cowan	Kelly	Nance	West
Craft			

—25

Nays:—None.

The bill:

S. 587. To permit county boards of revenue or county commissioners to appropriate money to control or eradicate diseases of live stock in their respective counties and to provide for the use of such money.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 24; nays, 0.

Yeas:

Messrs:

Acker	Cowan	Harper	Phillips
Baker	Craft	Kelly	Prestwood
Beale	Espy	Leith	Sims
Briscoe	Evins	Morris	Smith (Coosa)
Caffey	Griffith	McDowell	Tally
Carlton	Gunter	Nance	West

—24

Nays:—None.

The bill:

H. 167. To amend section 25 of an act entitled an act to prescribe the qualifications of jurors and regulate the selection, drawing and summoning of jurors, and prescribe the qualifications and provide for the appointment of jury commissioners and clerks of such commissioners and regulate the empanelling of grand and petit juries in all the courts of this State, approved August 31st, 1909.

Was read a third time at length and passed.

Yeas, 20; nays, 0.

Yeas:

Messrs:

Acker	Craft	Leith	Rogers (Lauderdale)
Beale	Espy	Miller	Rogers (Sumter)
Brown	Griffith	Moore	Sims
Caffey	Gunter	Morris	Tally
Carmichael	Huddleston	Prestwood	West

—20

Nays:—None.

The bill:

S. 208. To create in the department of agriculture and industries a division devoted to the deaf; to provide for the appointment of a competent deaf man to take charge of such division; to enumerate his duties and authority and to provide for his compensation and for the expense of such department.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 16; nays, 8.

Yeas:

Messrs:

Acker	Craft	Kelly	Nance
Briscoe	Espy	Leith	Sims
Carlton	Griffith	Miller	Smith (Coosa)
Cowan	Harper	McDowell	Tally

—16

Nays:

Messrs:

Baker	Caffey	Phillips	Rogers (Lauderdale)
Beale	Morris	Prestwood	West

—8

The bill:

S. 572. To create a commission with authority and powers to act for and on behalf of the State of Alabama in acquiring by purchase or condemnation the building in the city of Montgomery, Alabama, commonly known and designated as the "First White House of the Confederacy," and also the land whereon said building rests or such other land as said commission may deem advisable, and to make appropriation for such purpose and for the maintenance and repair of such property.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 24; nays, 0.

Yeas:

Messrs:

Acker	Cowan	Griffith	Leith
Beale	Craft	Gunter	Miller
Briscoe	Espy	Harper	Morris
Carlton	Evins	Kelly	McDowell

Nance	Prestwood	Sims	Tally
Phillips	Rogers (Lauderdale)	Smith (Coosa)	West

Nays:—None.

The bill:

S. 615. To fix the salary of county solicitors in counties having a population of 17,495 according to the last Federal census, and a population of not over 17,600 according to any subsequent Federal census; and to provide for the payment of said salaries out of the county treasuries.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 27; nays, 0.

Yeas:

Messrs:

Acker	Craft	Leith	Prestwood
Baker	Espy	Miller	Rogers (Lauderdale)
Beale	Evins	Moore	Sims
Briscoe	Griffith	Morris	Smith (Coosa)
Caffey	Gunter	McDowell	Tally
Carlton	Harper	Nance	West
Cowan	Kelly	Phillips	

—27

Nays:—None.

The bill:

S. 528. To authorize the governor to provide a suitable site for the establishment of a sanatorium for the use of the Alabama Sanatorium for Consumption and Tuberculosis conditioned upon the sale of the present site for such use located in Cullman county, Alabama, and consisting of about four hundred and sixty (460) acres heretofore acquired under the authority of section 777 of the Political Code of Alabama; also to authorize the governor to sell and convey the said land heretofore acquired for such site for each sanatorium; provided that the sanatorium to be so acquired may be located and established, with the governor's approval, on any lands suitable for such purpose, now owned by the State, and if so located and established on such lands now owned by the State, then the proceeds of such sale to be covered into the general funds of the treasury.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 22; nays, 1.

Yeas:

Messrs:

Acker	Beale	Caffey	Cowan
Baker	Briscoe	Carlton	Craft

Espy	Harper	McDowell	Smith (Coosa)
Evins	Kelly	Rogers (Lauderdale)	Tally
Griffith	Miller	Sims	West
Gunter	Morris		

—22

Nays:

Mr. Leith—1.

The bill:

S. 517. To fix the compensation of judges of county courts, serving in counties having a population of not less than 37,000 nor more than 37,500, according to the last preceding Federal census.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 24; nays, 0.

Yeas:

Messrs:

Acker	Cowan	Harper	Prestwood
Baker	Craft	Kelly	Rogers (Lauderdale)
Beale	Espy	Leith	Sims
Briscoe	Evins	Morris	Smith (Coosa)
Caffey	Griffith	McDowell	Tally
Carlton	Gunter	Nance	West

—24

Nays:—None.

The bill:

S. 579. To further regulate public service in this State.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 25; nays, 0.

Yeas:

Messrs:

Acker	Espy	Leith	Prestwood
Baker	Evins	Miller	Rogers (Lauderdale)
Beale	Griffith	Morris	Sims
Briscoe	Gunter	McDowell	Smith (Coosa)
Carlton	Harper	Nance	Tally
Cowan	Kelly	Phillips	West
Craft			

—25

Nays:—None.

The bill:

S. 611. Regulating the sale and exchange of gasoline, benzine, naphtha and other liquid motor fuels, and providing for the tagging and inspection of such product and creating within the State highway department the department of liquid fuel inspection and providing penalties for the violation of this act.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 15; nays, 3.

Yeas:

Messrs:

Acker	Espy	Miller	Sims	
Baker	Evins	McDowell	Tally	
Briscoe	Harper	Nance	West	
Craft	Kelly	Phillips		—15

Nays:

Messrs:

Carlton	Leith	Morris		—3
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The bill:

S. 278. To amend section 3453 of the Code of Alabama of 1907.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 18; nays, 0.

Yeas:

Messrs:

Acker	Carmichael	Leith	Rogers (Lauderdale)
Beale	Cowan	Miller	Rogers (Sumter)
Briscoe	Espy	McDowell	Sims
Brown	Griffith	Phillips	West
Caffey	Huddleston		

—18

Nays:—None.

The bill:

S. 505. To compel all railroad companies and all electric railway companies or other companies or persons operating railroads in the State of Alabama to put and keep the approaches and crossings of public road crossings of such company railroad tracks in proper repair.

Was taken up.

The Committee on Public Roads and Highways offered the following substitute for said bill, to-wit:

Substitute for Senate bill No. 505:

AN ACT

Entitled an act to compel all railroad company's and all electric railway company's or other companys or persons operating railroads in the State of Alabama to put and keep the approaches and crossings of public railroad crossings of such company railroad tracks in proper repair.

Be it enacted by the Legislature of Alabama:

Section 1. That from and after the passage of this act it shall be the duty of each and every railroad company, railway company or electric company, or other persons, operating railroads in the State of Alabama to put and keep the approaches and crossings of any railroads operated by such companies in the State of Alabama, where any public crosses said railroad track in good repair for the use of the traveling public.

Section 2. That wherever a public road in the State of Alabama crosses any railroad track such railroad crossing shall not be considered in good repair unless the rails of such railroad and the space between the rails shall be in such condition that conveyances may cross the same smoothly and with a reasonable degree of comfort and without unnecessary jolting.

Section 3. That whenever any paved or macadamized public road in the State of Alabama crosses any railroad track, any person, company or organization operating such railroad in the State of Alabama shall cause such railroad crossing to be paved or cherted with at least as good material as is maintained on such public road, and shall keep such railroad crossing in good condition for the comfort and safety of the traveling public using said public road as designated by the county or city engineer.

Section 4. That whenever any county or city engineer of the State of Alabama deems that such railroad crossing in the State of Alabama shall be out of proper repair such county or city engineer shall mail to the person, firm or corporation operating such railroad a notice in writing to at once put said crossing in proper repair and shall place notices at each approach of said railroad crossing requiring the operator or operators of such railroad to at once place such crossings in proper repair, but the failure to give such notice or to place such notices shall in no wise excuse such persons or operators of such railroads from the duty to put and keep such railroad crossings in proper repair.

Section 5. That within twenty days after mailing such notice and placing of such notices, provided for in section 4 of this act, if such crossings is not placed in proper repair and condition by such operators, then any county board of revenue or other like body in such State or municipal corporation in such State may proceed under the supervision of the county or city engineer to at once place such public road crossing in good and proper condition at the expense of the operators of such railroads, and shall mail to such operators an itemized account for the cost of such work, sworn to by some person having knowledge of such cost and demand payment of the same, and if payment is not

made within thirty days from the date of the mailing of such account, then the board of revenue or court of county commissioners or the governing body of municipalities may file suit in any court in the State of Alabama having jurisdiction to try causes of such character, and such itemized sworn account shall be prima facie evidence in any court in the State of Alabama of the correctness of such account and on such reasonableness of the charges therein made, and that the work evidenced by such account had been performed.

Which was adopted.

Yeas, 21; nays, 0.

Yeas:

Messrs:

Acker	Craft	Morris	Rogers (Lauderdale)
Beale	Espy	McDowell	Sims
Briscoe	Griffith	Nance	Smith (Coosa)
Caffey	Kelly	Phillips	Tally
Carlton	Miller	Prestwood	West
Cowan			

—21

Nays:—None.

And said bill, as thus amended, was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 26; nays, 0.

Yeas:

Messrs:

Acker	Craft	Leith	Phillips
Baker	Espy	Miller	Rogers (Lauderdale)
Beale	Evins	Moore	Sims
Briscoe	Griffith	Morris	Smith (Coosa)
Caffey	Gunter	McDowell	Tally
Carlton	Harper	Nance	West
Cowan	Kelly		

—26

Nays:—None.

REPORT FROM COMMITTEE ON ENROLLED BILLS.

Mr. President:

Your Standing Committee on Enrolled Bills beg leave to report that said committee, in session, have compared the following enrolled bills, with the engrossed and original bills, respectively, and find same correctly enrolled, to-wit:

S. 523. To authorize divorce for abandonment whenever a party, who has deserted his or her consort for more than ten months, fails to return to the performance of his or her marital obligations within sixty days after notice.

S. 361. To prescribe the term of training for nurses in hospital and schools in Alabama, and the method of certification as such.

Chas. McDowell, Jr.,
Chairman.

SIGNING OF BILLS.

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the following bills:

S. 523. To authorize divorce for abandonment whenever a party, who has deserted his or her consort for more than ten months, fails to return to the performance of his or her marital obligations within sixty days after notice.

S. 361. To prescribe the term of training for nurses in hospital and schools in Alabama, and the method of certification as such.

REPORT FROM THE SECRETARY.

To the Senate:
Gentlemen:

I submit the following report, made pursuant to joint rule No. 5 relative to the delivery of enrolled and signed bills and joint resolution to the governor, to-wit:

S. 490. To close and abandon certain described portions of certain streets, avenues, alleys, etc., in the city of Sheffield, county of Colbert, and State of Alabama, and certain wharves, docks, landing places and other public places within the said city of Sheffield, county of Colbert and the State of Alabama.

Delivered to the governor September 15th, 1919, at 1 o'clock P. M.

S. J. R. 111. Relative to amending the highway bill so that the National Government may build and maintain bridges across the navigable streams of the United States, etc.

Delivered to the governor September 15th, 1919, at 1 o'clock P. M.

S. 170. Authorizing and empowering any county in this State in which or along the coast of which the tides ebb and flow, and any cities or towns or other municipalities in any such counties, to own, construct, lease and operate electric street railways, interurban electric railways and electric lighting and power plants and hydro-electric power plants, and authorizing such counties and municipalities in this State to operate and combine

and make contracts with each other and with municipalities in other states in the ownership, construction, leasing and operation of electric street railways, electric interurban railways and electric lighting and power plants and hydro-electric power plants; authorizing such counties and municipalities to acquire or lease existing interurban railways and street railway systems; authorizing such counties and municipalities to mortgage electric street railways and interurban railways and power plants and to pledge the revenues derived therefrom and to issue bonds, secured by such mortgages and pledges; providing for a system of allotting and prorating the cost of electric interurban railways; providing for the election of commissioners by such counties and municipalities to represent such counties or municipalities in the ownership, construction, leasing, and management of interurban railways; providing that such commissioners shall keep a public record of their proceedings and publish the same, and providing for the exercise of the right of eminent domain by counties and municipalities or by commissioners representing them; and to provide for elections in counties and municipalities to decide whether they wish to adopt the privileges herein authorized.

Delivered to the governor September 15th, 1919, at 1 o'clock P. M.

S. 244. To repeal an act entitled, "An act to make mandatory the working of the male county convicts of Covington county on the public roads, bridges and public works of said county, and providing therefor," approved September 10th, 1915.

Delivered to the governor September 15th, 1919, at 1 o'clock P. M.

S. 446. To provide that mechanics' and material men's liens and the right of enforcement thereof in Covington county, Alabama, shall attach and apply to property of a married women where the service or labor is performed or the materials furnished with her knowledge and consent under a contract with the husband, and upon property owned jointly by husband and wife when the service or labor is performed or materials furnished under a contract with either or both, with the knowledge and consent of the other; to provide that no homestead right shall defeat such lien or the enforcement thereof; and to prescribe what shall be deemed to be consent within the meaning of this act.

Delivered to the governor September 15th, 1919, at 1 o'clock P. M.

S. 382. To regulate and provide for the military forces of the State of Alabama, and to promote its efficiency; to prescribe rules, regulations and means for its organization, armament,

equipment, discipline, control and supervision; to provide for its maintenance, support and upkeep; to provide means for the enforcement of this act; and to fix penalties and punishments for the violation of this act.

Delivered to the governor September 15th, 1919, at 1 o'clock P. M.

S. 573. To confer additional criminal jurisdiction on inferior courts or courts established in lieu of justices of the peace by whatsoever name called, on which courts criminal jurisdiction is now by law conferred, in counties having a population of over one hundred and fifty thousand, according to the last or any subsequent Federal census.

Delivered to the governor September 15th, 1919, at 1 o'clock P. M.

S. 216. To promote the sale of farm loan bonds issued by the Federal land banks organized under the provisions of the farm loan act.

Delivered to the governor September 15th, 1919, at 1 o'clock P. M.

S. 229. To amend section one of an act entitled, "An act to designate certain public roads of the State of Alabama as State trunk roads and to provide the manner in which such roads shall be located, improved, and maintained," approved September 10th, 1915.

Delivered to the governor September 15th, 1919, at 1 o'clock P. M.

S. 522. To amend an act entitled an act "To ratify, confirm, and validate the census of the cities and towns in the State of Alabama, of seven (7,000) thousand inhabitants and less, where the same has been taken as provided by the Code of Alabama of 1907, and the report of the same filed in the office of the secretary of State," approved April 4th, 1911.

Delivered to the governor September 15th, 1919, at 1 o'clock P. M.

S. 525. To regulate and define the power and jurisdiction of constables in all counties in the State of Alabama having a population of 200,000 or more, according to the last or any future Federal census.

Delivered to the governor September 15th, 1919, at 1 o'clock P. M.

S. 295. To authorize any bank or trust company incorporated under the laws of the State of Alabama to become a member of a Federal Reserve Bank, and in such event to be subject to all the provisions of the act of Congress known as the Federal reserve act and amendments thereto; to provide and define the

reserves to be kept by banks and trust companies incorporated under the laws of this State which are or may become such members of the Federal reserve system; to permit the authorities of this State which supervise and examine banks and trust companies organized under its laws to accept the examination and audits made pursuant to the Federal reserve act of such banks and trust companies as become members of the Federal reserve system, and for other purposes.

Delivered to the governor September 15th, 1919, at 1 o'clock P. M.

S. 392. To provide for the payment of witnesses before the grand juries, and State witnesses in all criminal cases, and the fees and commissions of the sheriff and clerks of the circuit court and ex-officio clerk of the county court of Pike county, Alabama, in all criminal cases in which the State fails to convict, out of the general fund of said county.

Delivered to the governor September 15th, 1919, at 1 o'clock P. M.

S. 514. To amend an act to regulate inferior courts in cities having more than 35,000 population, according to the last or any subsequent Federal census, to prescribe the jurisdiction of such courts, and provide for the number and compensation of the judges for such courts and to provide for the appointment and compensation of the clerks and assistant clerks thereof, and to abolish the office of justice of the peace in such cities." This act being approved September 25, 1915.

Delivered to the governor September 15th, 1919, at 1 o'clock P. M.

S. 526. To provide for the appointment of deputy circuit solicitors in all circuits in this State having more than five circuit judges, or which circuits may hereafter have more than five circuit judges, to fix their compensation and to provide the way and manner of paying the same.

Delivered to the governor September 15th, 1919, at 1 o'clock P. M.

S. 547. To authorize municipal corporations having a population of not less than 6,689 inhabitants nor more than 7,000 inhabitants, according to the last Federal census or any subsequent Federal census that may be hereafter taken to improve streets and sidewalks and sections of streets and sidewalks by the construction of electric lighting systems known as white ways and charge the expense thereof to the abutting property owners, provided the cost of such construction shall not be in excess of the increased value of said property charged with such improvement and provided such lighting systems shall not apply to nor include overhead street lighting and to provide for such municipi-

pal corporations to maintain such lighting systems after they have been established and to provide and pay for the cost of the current and expense of such maintenance thereafter.

Delivered to the governor September 15th, 1919, at 1 o'clock P. M.

S. 293. To amend section 928 of the Code of Alabama of 1907.

Delivered to the governor September 15th, 1919, at 1 o'clock P. M.

S. 516. To repeal an act entitled, "An act to provide a better system of public roads for Chambers county."

Delivered to the governor September 15th, 1919, at 1 o'clock P. M.

S. 417. To designate a certain public road of Alabama as a State trunk road.

Delivered to the governor September 15th, 1919, at 1 o'clock P. M.

S. 416. To designate a certain public road of Alabama as a State trunk road, and to provide the manner in which said road shall be improved and maintained.

Delivered to the governor September 15th, 1919, at 1 o'clock P. M.

S. 503. To authorize and empower the solicitor, in all circuits in the State of Alabama, having five or more circuit judges, to employ any and all shorthand reporters necessary to properly report the proceedings before the grand jury, and transcribe the same, and stenographer, or stenographers, for the office work of such solicitor; and any and all assistants necessary to properly administer justice in such circuits; and to fix their compensation and the manner of payment of such compensation and salaries; and to incur any and all expense necessary to properly administer justice in such circuits.

Delivered to the governor September 15th, 1919, at 1 o'clock P. M.

S. 454. To amend section 1 of an act entitled an act to designate certain public roads of the State of Alabama as State trunk roads and to provide the manner in which such roads shall be located, improved and maintained, approved September 10, 1915."

Delivered to the governor September 15th, 1919, at 1 o'clock P. M.

S. 541. To divide the county of Marengo into four commissioners court districts; to provide for the election of one qualified elector residing in said district as county commissioner from said district, by the qualified electors of the entire county of Marengo.

Delivered to the governor September 15th, 1919, at 1 o'clock P. M.

S. 267. To amend section 1 of an act entitled an act to designate certain public roads of the State of Alabama as State trunk roads and to provide the manner in which such roads shall be located, improved and maintained, approved September 10, 1915.

Delivered to the governor September 15th, 1919, at 1 o'clock P. M.

S. 442. To create the office of tSate fire marshal, and to provide for the appointment of deputy marshal and assistant; to define their powers and duties and to fix their compensation; to provide ways and means for the enforcement of this act and penalties for violation thereof; and to provide means for defraying the expenses incurred under the provisions hereof.

Delivered to the governor September 15th, 1919, at 1 o'clock P. M.

S. 449. To designate a certain road a State trunk road in Cherokee county, Alabama.

Delivered to the governor September 15th, 1919, at 1 o'clock P. M.

S. 459. To alter or rearrange the boundary lines of the city of Fairfield, Alabama.

Delivered to the governor September 15th, 1919, at 1 o'clock P. M.

S. 458. To alter or rearrange the boundary lines of the city of Birmingham, Alabama, so as to exclude from the city of Birmingham certain territory now included in the corporate limits of said city of Birmingham.

Delivered to the governor September 15th, 1919, at 1 o'clock P. M.

S. 393. To regulate the fine and forfeiture fund of Pike county, Alabama, and provide for the registration and payment of claims against said fund.

Delivered to the governor September 15th, 1919, at 1 o'clock P. M.

Respectfully,
W. F. Miller,
Secretary.

REPORT OF THE SECRETARY.

On motion of Mr. Griffith the foregoing report from the Secretary was read at length to, and adopted by the Senate.

ADJOURNMENT.

On motion of Mr. Phillips and pursuant to joint resolution heretofore adopted, the Senate, at 10:15 P. M., adjourned until Wednesday morning at 9:30 o'clock.

FORTY-SIXTH DAY.

Wednesday, September 17th, 1919.

The Senate met pursuant to adjournment, Lieutenant Governor Miller, presiding.

PRAYER.

By Rev. Dr. Dickinson of Birmingham.

ROLL CALL.

Present:

Mr. President and

Messrs:

Acker	Carmichael	Kelly	Prestwood
Baker	Cowan	Leith	Rogers (Lauderdale)
Beale	Craft	Miller	Rogers (Sumter)
Bedsole	Espy	Moore	Sims
Briscoe	Evins	Morris	Smith (Coosa)
Brown	Griffith	McDowell	Smith (Lawrence)
Butler	Gunter	Nance	Tally
Caffey	Harper	Phillips	West
Carlton	Huddleston		

—34

JOURNAL.

On motion of Mr. Evins, the reading of yesterday's Journal was dispensed with and same was approved by the Senate.

REPORTS OF COMMITTEES.

Mr. Sims, chairman of the Standing Committee on Banking and Insurance, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Dunaway:

H. 432. Defining as the exercise of due diligence the forwarding of a check direct to payer.

By Mr. Dunaway:

H. 433. To limit the liability of a bank for nonpayment of a check through error.

By Mr. Andrews:

H. 453. To require banks and trust companies doing a banking business, to set aside at least 10% of their net earnings each year to a surplus fund, until such fund shall be equal to at least 20% of the capital stock, and to provide penalties for failure.

Mr. Phillips, chairman of the Standing Committee on Privileges and Elections, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. McDonald:

H. 926. To provide for the election of a county treasurer by the qualified electors of every county in this State, now having or which may hereafter have a population according to the last Federal census, or any Federal census hereafter taken, of not less than thirty thousand nine hundred and thirty-five, nor more than thirty thousand nine hundred and eighty.

By Mr. Cliett:

H. 943. To regulate and prescribe the manner of electing county commissioner of Talladega county.

By Mr. Gunter:

S. 708. To provide for the election of all members of boards of revenue or courts of county commissioners by the qualified voters of the whole county, in all counties in this State having a population of more than eighty-two thousand people and less than two hundred thousand people according to the last Federal census, or according to any such census hereafter to be taken, also to provide that the members of such boards or courts shall be resident citizens and qualified voters of the districts which they represent, and to repeal all laws in conflict with the provisions of this act.

By Mr. Arnold:

H. 512 (with amendment). To provide for absent qualified electors of the State of Alabama to vote in any general, special or municipal election in this State while absent from the State or from the county or precinct in which he is a qualified elector; to provide the method of carrying out such provision; and to require election officers and others charged with duties hereunder to perform duties in connection therewith.

By Mr. Dansby:

H. 465. To amend an act to provide for the registration of electors.

Mr. Acker, chairman of the Standing Committee on Judiciary, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Harper:

S. 755. To amend section 29 of "An act to prescribe the qualifications of jurors and regulate the selection, drawing and sum-

moning of jurors, and prescribe the qualifications and provide for the appointment of jury commissioners and clerks of such commissions and regulate the empanelling of grand and petit juries in all the courts of this State."

By Mr. Dansby (by request):

H. 860. To create the office of county solicitor in all counties having a population of not less than eighteen thousand one hundred and twenty-five and not more than eighteen thousand nine hundred according to the Federal census of 1910, and to provide for the election of such solicitor by the qualified electors of such counties and prescribe his qualifications and duties and fix his compensation.

By Mr. Arnold:

H. 893. To provide for and authorize the appointment of a special judge in circuits composed of only on county, and having more than three circuit judges in cases of incompetency of the regular judge, or his temporary inability to act.

By Mr. Arnold:

H. 961. To confer final jurisdiction of bastardy cases on inferior courts or courts established in lieu of justices of the peace, by whatsoever name called, in counties having a population of 150,000 or more, according to the last or any subsequent Federal census.

By Mr. Lynne:

H. 1027. To validate and make legal all bonds of the city of Athens, Alabama, issued or to be issued, bearing a rate of interest at the rate of six per centum per annum and to run for a period of thirty years, provided a majority of the qualified electors of said city, voting in such election, have at an election held for such purpose, voted in favor of the issuance thereof, and provided, such election was held prior to July 1st, 1919.

By Mr. Lynne:

H. 619. To create and establish a board of revenue in and for Morgan county, Alabama, in the place and stead of the commissioners' court now existing in said county, and abolishing said commissioners' court; to divide said county of Morgan into four districts, defining the boundaries thereof; providing that the present county commissioners shall be the members of said board of revenue for their unexpired term; fixing the term of office and providing for the election of subsequent members thereof; defining the jurisdiction of said board of revenue; fixing their compensation; conferring upon said board of revenue and the individual members thereof all the jurisdictions, powers and authority granted by law to county commissioners and to commissioners courts and boards of revenue in this State; au-

thorizing the appointment by said board of revenue of a county auditor and a superintendent of public roads; providing for the holding of monthly meetings of said board of revenue beginning on the second Monday in each month; providing for the repeal of all laws in conflict with this act and, fixing the time when this act shall become operative.

By Mr. Acker:

S. 759. To require th State income tax supervisor and certain officials under him to execute official bonds with surety for the faithful performance of their duties under the act entitled an act to provide for the general revenue of the State of Alabama, approved September, 1919.

By Mr. Lynne:

H. 665. To establish a county court for Morgan county; to define its jurisdiction and powers; to provide for its officers, their powers, duties and compensation; to provide that the said court shall be open at all times for the trial of cases and transaction of business; prescribing rules and procedure of said court; and to provide for the transfer of certain causes now or hereafter pending in the circuit court of Morgan county to the Morgan county court.

By Mr. Acker:

S. 760. To make the surety bond required or each of the several tax collectors of the State more secure by providing that such bond shall be and operate as a lien on the property of the tax collectors' personal or individual sureties in cases where personal or individual sureties sign the bond, from the date of any default covered by the bond of any tax collector.

By Mr. Deese:

H. 914. To amend an act entitled "To fix the time of holding the circuit court in the third judicial circuit of the State of Alabama," as amended and approved April 7th, 1911.

By Mr. Lynne:

H. 553. To provide for the revision, codification, digesting, and promulgation of the public statutes of this State, both civil and criminal.

Mr. Miller, chairman of the Standing Committee on Revision of Laws, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Arnold:

H. 959. To authorize registers of the circuit court in circuits composed of only one county and having two or more circuit

judges, or counties, now or hereafter, having a population of over 100,000 according to the last Federal census, to grant decrees pro confesso on bills or supplemental bills which are in default for want of answer on any day, in term time or vacation, and to issue all orders of publication to nonresidents or where the address of defendants is unknown, in term time or vacation; or to issue any other process necessary to bring the defendant into court, as now provided by law; and to issue writs of garnishment on judgments or decrees for payment of cost.

By Mr. Arnold:

H. 939. To confer additional criminal jurisdiction on inferior courts or courts established in lieu of justices of the peace by whatsoever name called, on which courts criminal jurisdiction is now by law conferred, in counties having a population of over one hundred and fifty thousand, according to the last or any subsequent Federal census.

By Mr. Benners:

H. 872. To provide for the special appointment by judges of the circuit courts in circuits having five or more circuit judges, of court reporters designated by the parties to any matter, cause, or proceeding, to act as official court reporters; to define their duties, and fix their compensation, and the method of payment thereof; to provide for the taxation of the compensation of such reporters as costs, and for the reimbursement of parties who shall pay the compensation of such reporters; and to provide that the transcript of such court reporter of the testimony, or other oral proceedings in any matter, cause, or proceeding in said courts, when certified by such reporter, shall be prima facie evidence of such testimony, or other oral proceedings, and shall be admissible in evidence of such testimony or other oral proceedings whenever proof thereof is otherwise competent.

By Mr. Wooddard:

H. 962. To establish boards of revenue in all counties having a population of not less than 47,041 and not more than 47,150 according to the Federal census of 1910, and to abolish the courts of county commissioners thereof, and to provide for the better working of the public roads of said counties.

By Mr. Stoddard:

H. 992. To create the office of county solicitor for Crenshaw county—to prescribe his qualifications and duties; to provide for his election by the qualified electors of the county; to provide for the filing of vacancies in said office; to fix his salary and prescribe the length of term of his office and to repeal conflicting laws.

By Mr. Wilson:

H. 976. To amend an act to establish an inferior court in precincts 15 and 20 in Calhoun county, Alabama, in lieu of all justices of the peace and notaries public, with powers of justices of the peace in said precincts, and to define the jurisdiction and powers of said courts and the judge thereof, to provide for the execution of the process of said court and the operation thereof, to regulate the rendition of judgments by default, to provide for the election, term of office, qualifications and compensation of the officers of said court, and the mode of their selection, and to abolish the office of justice of the peace and notary public, with power of justice of the peace in said precincts. Approved August 25th, 1915.

Mr. Kelly, chairman of the Standing Committee on Public Roads and Highways, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Ingram:

H. 968. To repeal an act to provide for the better construction, repairing, working, and maintaining of public roads and bridges in Clay county, Alabama, approved April 8th, 1911.

By Mr. Howle:

H. 993. To create and designate an additional trunk road extending from the town of Heflin in Cleburne county east to the Georgia state line along the public road now laid out and forming a part of what is known as the Bankhead highway, and to confer upon said road all of the rights and privileges now extended to trunk roads in this State.

By Mr. Brindley:

H. 964. To amend an act to designate certain public roads of the State of Alabama as State trunk roads and to provide the manner in which such roads shall be located, improved and maintained, enacted by the Legislature of Alabama approved September 10th, 1915.

By Mr. Carnley:

H. 936. To amend section one of an act entitled an act "To designate certain public roads of the State of Alabama as State trunk roads and to provide the manner in which such roads shall be located, improved and maintained," approved Sept. 10th, 1915.

By Mr. Dansby:

H. 692. To provide for the annexation of Bay, Calhoun, Escambia, Holmes, Jackson, Okaloosa, Santa Rosa, Walton and Washington counties in West Florida to the State of Alabama,

with the assent of the state of Florida and the Congress of the United States.

By Mr. Stoddard:

H. 949. To designate a certain public road of Alabama as a State trunk road, and to provide the manner in which said road shall be located, improved and maintained.

By Mr. Partridge:

H. 952. To amend an act approved Sept. 10th, 1915, entitled "An act to designate certain public roads of the State of Alabama as State trunk roads and to provide the manner in which such roads shall be located, improved and maintained," by adding an additional road thereto.

By Mr. Waddell:

H. 1039. To repeal an act entitled an act to provide for the construction, repairing, working and maintaining of the public roads of Russell county, Alabama, and to provide for the levying of a tax for the same and for punishing road defaulters, approved Sept. 26th, 1903. Local Acts, 1903, page 355, et sequiter.

By Mr. Collins:

H. 801. To amend section one of an act entitled an act to designate certain public roads in the State of Alabama as State trunk roads and provide the manner in which such roads shall be located, improved and maintained, approved Sept. 10th, 1915.

By Mr. Harper:

S. 702. To authorize the courts of county commissioners, boards of revenue, or like officers of each county of the State of Alabama, to pay for the improvements or constructing of public roads, public highways, bridges, crossways, culverts, viaducts or other public improvements which may have been heretofore ordered made by such court of county commissioners, board of revenue, or within any municipality within their county, and which remains unpaid because such court of county commissioners, board of revenue, or like officers had no authority to order such improvements, or for any other reason.

By Mr. Partridge:

H. 995. To provide for the construction, care, maintenance, and improvement of the public roads of Franklin county; to provide funds, regulations, penalties, and officers to insure such constructions, care, maintenance, and improvement; to provide a county superintendent of roads, prescribe his qualifications, method of selection, term of office, salary, duties, powers; to prescribe in general the records to be kept by said superintendent: to provide that the court of county revenue shall have full powers over the road system; to provide beat supervisors, sections overseers, and other persons to carry out said work on the

road system of the county; to prescribe the duties of individuals and corporations in regard to the enforcement of said road law.

Mr. Butler, chairman of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Jackson:

H. 306. To provide for the levy and collection of an inheritance or succession tax for the State of Alabama.

By Mr. Green:

H. 763. To authorize the payment of all fees of solicitors in misdemeanor cases in certain counties into the county treasury for the use of the county.

By Mr. Russell of Mobile:

H. 806. To authorize the court of county commissioners, the board of revenue and road commissioners, or like body, in each county in this State to provide telephones and postage for the offices of clerks and registers of the circuit court, the office of the sheriff, and the office of the jailer and judge of probate in their respective counties.

By Mr. Jones of Montgomery:

H. 884. To fix the compensation of circuit solicitors in all circuits of the State of Alabama which are now composed, or which may hereafter be composed of only one county and having two judges.

By Mr. Brindley:

H. 590. To regulate the office of tax collector in all counties of the State of Alabama which has a population of as much as 33,781 and not more than 33,800 according to the last Federal census and fix the compensation of such tax collectors and to provide for the payment thereof.

By Mr. Allen:

H. 798. For the relief of E. R. Bradford.

By Mr. Longshore:

H. 973. To create the office of county treasurer for Shelby county, to provide for his election and the filling of vacancies, to prescribe his duties and compensation.

By Mr. Dansby:

H. 999. To provide for and regulate the payment of officers' costs in criminal cases where the defendant is acquitted or where State takes a nolle prosequi, or where case is abated by the death of defendant, or where the indictment is withdrawn and filed in counties having a population according to the last Federal census

of not less than eighteen thousand three hundred and not exceeding eighteen thousand five hundred.

By Mr. Rogers of Lauderdale (by request):

S. 758. To create the office of county law librarian, to prescribe his duties and to fix his compensation.

By Mr. Carmichael:

S. 756. To encourage the manufacture of air nitrates in the State of Alabama, by exempting from taxation the plants, products and other property of any person, firm or corporation acquiring either by lease or purchase, any factory or plant already built in this State, for the production and manufacture of atmospheric nitrogen.

By Mr. Mathews:

H. 947. To provide for a deputy watchman, or attendant for each jail and prison in all counties having a population of not less than thirty thousand nine hundred and seventy-five and not more than thirty-one thousand according to the last or any subsequent Federal census, whenever the court of county commissioners or court of like jurisdiction in said counties deem same necessary to the well-being of the prisoners confined in said jail or prison and shall by resolution duly passed require the sheriff to employ such deputies, warden or attendant and, to provide for the payment of his services, and to prescribe his duties.

By Mr. Acker:

S. 752. To fix the salaries of the chairman and two associate members of the State tax commission, and to prescribe the manner of payment of same.

By Mr. Cobbs:

H. 877. Allowing costs and fees to officers for the service of process from juvenile courts and for feeding prisoners committed by or held for or under such courts.

By Mr. Arnold:

H. 895. To provide for the payment of salaries by the county to circuit judges in circuits composed of only one county, and having more than three judges, in addition to the salary paid by the State.

By Mr. Dunaway:

H. 204. To authorize counties through their county commissioners, boards of revenue or other governing bodies, to adopt a budget system and to make appropriations to meet expenses thereunder; to issue certificates when requested to holders of claims which have been passed and allowed prior to the approval of this bill bearing interest, and providing for the payment of said claims.

By Mr. Edwards:

H. 978. To provide for the payment of ex-officio fees to clerks to circuit courts in all counties of this State having at the last Federal census over fifty thousand inhabitants and under fifty-five thousand inhabitants.

By Mr. Crump:

H. 1030. To prescribe and regulate the payment of certain claims registered against the fine and forfeiture funds of St. Clair county, when there are such funds in the hands of the county treasurer or any bank or individual who are discharging the duties of county treasurer, and to give notice to such persons there are funds in the hands of such treasurer for the payment of claims by publication in county newspaper for two weeks.

By Mr. Dunaway:

H. 937. To provide for the payment of expenses for automobiles for the use of sheriffs in the discharge of their duties as such in counties of not less than 53,401, nor more than 53,501, population according to the Federal census of 1910, or according to any subsequent Federal census.

Mr. Brown, chairman of the Standing Committee on Municipalities and Municipal Organizations, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit: By Mr. Arnold:

H. 657. To provide that when any city or town in this State has heretofore acquired, or may hereafter acquire, by purchase, assignment of otherwise, any mortgage on real estate, that such city or town shall have a lien on such real estate for the amount expended or advanced by it, with interest thereon, and may enforce such lien by appropriate proceedings in the equity side of the circuit court. Provided that this act shall only apply to cities having 100,000 or more population according to the last or any subsequent Federal census.

By Mr. West:

S. 754. To change, alter or enlarge the corporate limits of the town of Inglenook, Jefferson county, Alabama.

By Mr. Seale:

H. 1041. To vacate and annul the street or alley in the town of Livingston, Alabama, leading from the Wetmore Land, near the residence of Marcellus Speight, by the residence formerly owned by Mrs. Matilda Greene, and intersecting with the street leading from the Livingston and Gainesville road, to the Hopkins place, also the street or alley leading from the Livingston and Gainesville road in the direction of the colored Baptist church,

and lying between the campus of the Alabama normal college and the property formerly owned by Miss Julia Tutwiler, and known as the "Twin Gables."

By Mr. Collins:

H. 899. To amend section one of an act entitled an act to establish a charter for the town of Gordo, Pickens county, approved Decemr 7th, 1900.

By Mr. Clayton:

H. 853. To amend an act entitled an act "To ratify, confirm, and validate the census of the cities and towns in the State of Alabama of seven (7,000) thousand inhabitants and less, where the same has been taken as provided by the Code of Alabama of 1907, and the report of the same filed in the office of the secretary of State," approved April 4th, 1911.

By Mr. Lewis:

H. 975. To dissolve the municipal corporation of the Town of James, Alabama.

By Mr. Preston:

H. 951. To provide for the consolidation of two cities or towns whose boundaries touch with a third town or city not contiguous to either but whose boundary line is within one mile or less of the boundary of either of the others, so as to include within the consolidated city or town the territory between such cities or towns, prescribe the manner in which such consolidation may be had, to provide for the organization of the municipal government of the consolidated city or town, to provide for the payment of the debts of each of the consolidated cities or towns, the performance of the existing contracts of each of said cities and towns, and the disposition of the property of each of the consolidating cities or towns.

Mr. Rogers, chairman of the Standing Committee on Commerce and Common Carriers, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate without recommendation and it was read a second time and placed on the calendar, to-wit:

By Mr. Harper:

S. 658. To require all companies, corporations, lessees, owners or receivers of any railroad or railway company operating passenger cars in this State to cause the doors and windows of such cars to be screened, under regulations to be adopted by the Alabama public service commission.

Mr. Kelly, chairman of the Standing Committee on Public Roads and Highways, reported that said committee, in session, had acted on the following bill and ordered same returned to the

Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Arnold:

H. J. R. 10. Relates to establishment of the Bankhead national highway.

Mr. Brown, chairman of the Standing Committee on Municipalities and Municipal Organizations, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Orr:

H. 408. To amend section 1067 of the Political Code of Alabama.

Mr. West, chairman of the Standing Committee on Local Legislation, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Longshore:

H. 890. To fix the salary of deputy solicitors serving in counties having a population of not less than 26,940 nor more than 27,000, according to the last preceding Federal census.

By Mr. Lynne:

H. 710. To abrogate and abolish the county courts of all counties in the State of Alabama, having a population, according to the last preceding, and official and published Federal census, of not less than thirty-three thousand, and not exceeding thirty-three thousand eight hundred.

By Mr. Lynne:

H. 709. To abrogate to and abolish the jurisdiction of justices of the peace and notaries public with powers of justices of the peace in Morgan county, Alabama; of all criminal causes, except as committing magistrate in felony cases.

Mr. Acker, chairman of the Standing Committee on Judiciary, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with an adverse report, and they were severally read a second time and placed on the adverse calendar, to-wit:

By Mr. Briscoe:

S. 761. To require every State official, or official holding office under the authority of the State, and who is paid a salary or receives pecuniary profit for his services as such official, and whose office or post of duty is located in the capitol building or in

the city of Montgomery, to reside or live in or sufficiently near to the city of Montgomery as that such office or post of duty shall be reasonably accessible to him daily, and to provide for the impeachment or removal of such official on failure to comply with the requirements of this act.

By Mr. Carnley:

H. 354. To repeal section 2069 of the Code of Alabama of 1907.

Mr. Brown, chairman of the Standing Committee on Municipalities and Municipal Organizations, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with an adverse report, and it was read a second time and placed on the adverse calendar, to-wit:

By Mr. Andrews:

H. 404. To authorize all cities and towns in this State to purchase sanitary or storm water sewers, or sanitary or storm water sewer systems, and to assess the cost of the same against the property drained by them; to prescribe the method of procedure in purchasing such sewers or sewer systems and in levying assessments against the property drained by them; and to authorize the issuance of bonds for the purpose of providing funds to pay the cost of the same.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has originated and passed the following bills:

H. 766. To regulate the manufacture, sale and shipment of insecticides and fungicides in the State of Alabama and to provide means and penalties therefor and provide disposition of funds arising therefrom.

H. 767. To establish and create the Alabama horticultural society for the promotion and development of fruit-growing within the State of Alabama and to define its powers and duties.

H. 128. To amend chapter 230 of the Code of Alabama, of 1907, relating to hotels and innkeepers; and to include therein regulation of cafes, restaurants and eating places.

And sends same herewith to the Senate.

Fred H. Gormley,
Clerk.

HOUSE MESSAGE.

The House bills in the foregoing House message were severally read once and referred to appropriate standing committees as follows:

H. 766 and H. 767, to the Committee on Agriculture.

H. 128, to the Committee on Public Health.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has originated and passed the following bills:

H. 560. To further prescribe the duties of the supernumerary judge of Alabama.

Also:

H. 561. To authorize the attorney general to direct the solicitor of certain circuits to perform the duties of solicitor of the nineteenth judicial circuit.

Also:

H. 562. To repeal section 3279, 3280 and 3281 of the Code of Alabama, an act to amend section 3281 of the Code of Alabama, approved April 22, 1911, and an act to amend section 3279 of the Code of Alabama. Approved September 8, 1915.

Also:

H. 1036. To provide for the sale of the printed and bound volumes of the reports of the decisions of the supreme court of Alabama.

Also:

H. 1037. To provide for the sale of the printed and bound volumes of the reports of the decisions of the court of appeals of Alabama.

Also:

H. 521. For the relief of H. S. Brown, of Randolph county, Alabama, to refund certain moneys erroneously or illegally collected from him as money due the State of Alabama on lands.

(With notice and proof attached hereto and exhibited as follows:)

NOTICE.

Notice is hereby given that a bill will be introduced at the present session of the Legislature of Alabama to refund to the undersigned seventy-eight dollars (\$78.00) together with interest thereon since December the 6th, 1912; said amount having been erroneously collected by the State of Alabama from the undersigned on the following described land, to-wit: The N. E. $\frac{1}{4}$ of the S. E. $\frac{1}{4}$ of section 16, township 20, range 13.

H. S. Brown.

State of Alabama, }
Randolph County. }

Personally appeared before me, O. H. Stevenson, who is known to me to be the editor and publisher of The Roanoke Leader, a paper published in Roanoke, Randolph county, Alabama, who being duly sworn, says that the printed notice of H. S. Brown hereto attached is a true copy and that said notice appeared in The Roanoke Leader in the issues of January 29th, February 5th, 12th and 19th, 1919.

Sworn to and subscribed to before me, this the second day of July, nineteen hundred nineteen.

(Signed) O. H. Stevenson.

Witness: P. A. Hurst,
Notary Public.

Also:

H. 760. To make an appropriation of two hundred and eighty-two dollars for the relief of George W. Morris, a Confederate soldier of Randolph county.

(With notice and proof attached hereto and exhibited as follows:)

NOTICE.

Notice is hereby given that a bill will be introduced at the adjourned session of the Legislature of Alabama to reinstate George W. Morris, an ex-Confederate soldier, on the pension roll of Randolph county, and appropriate funds to reimburse him for the time that he has been off by error.
George W. Morris.

Before me, H. D. Pearson, clerk of the circuit court for said county and State, personally appeared J. H. Kerr, editor of the Randolph Star, a newspaper published in the county of Randolph, Alabama, and being duly sworn, says a notice of which the attached is a true copy was published in said newspaper once a week for four consecutive weeks beginning on the 26th day of June, 1919.

J. H. Kerr.

Sworn to and subscribed before me this the 19th day of July, 1919.

H. D. Pearson,
Clerk of the Circuit Court.

And sends same herewith to the Senate.

Fred H. Gormley,
Clerk.

HOUSE MESSAGE.

The House bills in the foregoing House message were severally read once and referred to appropriate standing committees as follows:

H. 560 and H. 561, to the Committee on Judiciary.

H. 562, to the Committee on Revision of Laws.

H. 1036 and H. 1037, to the Committee on Printing.

H. 521 and H. 760, to the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE.

Mr. President:

The House accedes to the request of the Senate for a committee of conference on the disagreement of the two houses on the House amendment to the bill:

S. 279. To fix the compensation of members of the courts of county commissioners and boards of revenue in all counties having a population of not less than 30,900 and not more than 30,975 according to the last Federal census, and to provide for the payment of the same.

And the Speaker has named as a committee of conference on the part of the House, Messrs. Sherrod, Shaw and Orr.

Fred H. Gormley,
Clerk.

MESSAGE FROM THE HOUSE.

Mr. President:

The House accedes to the request of the Senate for a committee of conference on the disagreement of the two houses on the House amendment to the bill:

S. 400. To fix the salary of the several circuit judges in Alabama.

And the Speaker has named as a committee of conference on the part of the House, Messrs. Benners, Tompkins and Stoddard.

Fred H. Gormley,
Clerk.

NOTICE OF MOTION TO TAKE FROM ADVERSE CALENDAR.

Mr. Prestwood gave to the Senate the following notice in writing:

To the Senate of Alabama:

Notice is hereby given that a motion will be made on the next legislative day by the undersigned to take from the adverse calendar, have the same read a second time and placed on the regular calendar for a third reading:

H. 354. To repeal section 2069 of the Code of Alabama of 1907.

Sept. 17, 1919.

J. Morgan Prestwood,
Sen. 17th Dist.

BILLS ON THIRD READING.

The bill:

S. 710. To amend subdivision 84 of section 361 of an act to provide for the general revenue of the State of Alabama, approved September 10th, 1919.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment:

Yeas, 27; Nays, 2.

Yeas:

Messrs:

Acker
Baker
Beale
Bedsole

Briscoe
Brown
Butler
Caffey

Carlton
Carmichael
Cowan
Craft

Espy
Evins
Harper
Kelly

Leith	McDowell	Rogers (Sumter)	Tally	
Miller	Nance	Sims	West	
Morris	Prestwood	Smith (Lawrence)		—27

Nays:

Messrs:

Phillips	Rogers (Lauderdale)	—2
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The bill:

H. 664. To provide for the printing and publication of the reports of the supreme court and the court of appeals of Alabama, and for the distribution or sale of same.

Was taken up.

Mr. Prestwood offered the following amendment to said bill:
Amend section 2 of House bill No. 664 by adding at the end of said section the following:

“Provided that the report of each case shall contain and shall be prefaced by a statement of the facts of the case and by an abstract of the briefs filed therewith.”

Which was adopted.

Yeas, 27; Nays, 0.

Yeas:

Messrs:

Acker	Carlton	Harper	Prestwood	
Baker	Carmichael	Leith	Rogers (Sumter)	
Bedsole	Cowan	Miller	Smith (Coosa)	
Briscoe	Craft	Morris	Smith (Lawrence)	
Brown	Espy	McDowell	Tally	
Butler	Evins	Nance	West	
Caffey	Griffith	Phillips		—27

Nays:—None.

And said bill, as thus amended, was read a third time at length and passed.

Yeas, 26; Nays, 0.

Yeas:

Messrs:

Acker	Carmichael	Leith	Prestwood	
Baker	Cowan	Miller	Rogers (Sumter)	
Bedsole	Craft	Morris	Smith (Coosa)	
Briscoe	Espy	McDowell	Smith (Lawrence)	
Brown	Evins	Nance	Tally	
Butler	Griffith	Phillips	West	
Caffey	Harper			—26

Nays:—None.

RESOLUTION.

Mr. Brown offered the following joint resolution:

S. J. R. 144. Whereas, the Alabama Branch of the National Congress of Mothers has passed a resolution requesting the Alabama Legislature to enact a law making what is commonly known as "hazing," in the institutions of learning, supported wholly or in part by public funds, a misdemeanor, and also to abolish what is commonly known as the "Ggreen Cap System" for Freshmen, which resolutions have been endorsed by the City Federation of Woman's Clubs of Montgomery, and

Whereas, the National Government has seen fit to restrict and prohibit such practices in the schools at West Point and Annapolis, therefore,

Be it resolved by the Senate of Alabama, the House concurring, That those in charge of said institutions of learning in Alabama are earnestly urged and directed to immediately take such steps as may be necessary to prevent such practices in the said schools as are herein mentioned and disapproved, and, in such cases as become necessary, they are directed to report to the proper authorities for investigation and prosecutions.

Which was read and referred to the Standing Committee on Education.

REPORT OF COMMITTEE OF CONFERENCE ON S. 400.

To the Senate and House of Representatives:

The Committee of Conference appointed to consider the differences between the two houses over Senate bill No. 400, being "A bill to be entitled an act to fix the salaries of the several circuit judges in Alabama," have agreed upon the following report:

We recommend that the Senate concur in the House amendment reading as follows, to-wit:

"Amend S. 400 by adding thereto the following: Provided that in circuits, now or hereafter composed of only one county and having two or more judges, and in which salaries are paid to such judges by the counties constituting such circuits, in addition to the salaries paid by the State, such salaries shall continue to be paid to each of the judges in such circuits by the respective counties composing said circuits, in the manner now provided, which salaries so paid by the counties shall be in addition to the salary herein provided to be paid by the State."

We recommend that the House recede from and the Senate recede from its nonconcurrence in the House amendment reading as follows: "Strike out the words \$4,500 where they appear and insert the figures \$3,600," and that in lieu of said last quoted amendment the bill be amended by striking the words "five

thousand" where they occur therein and inserting in lieu thereof the words "four thousand."

R. B. Evins,
B. T. Phillips,
Jno. Miller,
Committee on the part of Senate.
W. H. Stoddard,
C. L. Tompkins,
A. Benners,

Committee on the part of House of Representatives.

CONFERENCE REPORT.

On motion of Mr. Evins, the Senate concurred in and adopted the report of the Committee of Conference on the disagreement of the two houses on the House amendments to the bill:

S. 400. To fix the salary of the several circuit judges in Alabama.

Yeas, 21; Nays, 0.

Yeas:

Messrs:

Acker

Baker

Bedsole

Briscoe

Brown

Butler

Caffey

Carlton

Carmichael

Cowan

Craft

Espy

Evins

Griffith

Harper

Leith

Miller

McDowell

Nance

Phillips

Prestwood

—21

Nays:—None.

MESSAGE TO THE SENATE.

Mr. President:

The House has amended as therein shown and as amended has passed:

S. 12. To provide pensions for all soldiers and sailors who were in the military or naval services of the State of Alabama and for those who served in the Army or Navy of the Confederate States of America with certain exceptions and who did not desert the same in the War Between the States of the United States of America in the years 1861, 1862, 1863, 1864, 1865, and who are bona fide resident citizens of the State of Alabama and to regulate and provide for the payment of such pensions by the State of Alabama.

And returns same herewith to the Senate.

Fred H. Gormley,
Clerk of the House.

HOUSE MESSAGE.

On motion of Mr. Brown, the Senate nonconcurring in the following amendment by the House to Senate bill No. 12, the title of which is set out in the foregoing message from the House, to-wit:

SUBSTITUTE FOR SENATE BILL NO. 12.

To provide pensions for soldiers and sailors in the service of the State of Alabama, and for their widows, and for soldiers and sailors in the Army or Navy of the Confederate States of America, and for their widows and for the regulation of the payment thereof and to constitute and appoint a pension commission for the State of Alabama and prescribe its powers and duties.

Be it enacted by the Legislature of Alabama:

(1) That the director of archives and history, the attorney general and the chief examiner of public accounts, ex-officio, are constituted and appointed as the Alabama pension commission, whose duty it shall be to have full control and supervision of all pensions allowed to soldiers and sailors in the actual service of the Army or Navy of the Confederate States of America or of the State of Alabama, and pensions allowed to their widows, and who shall be empowered with full authority to do and perform any and all acts whatsoever, as are necessary to the full execution of this act, and in the discharge of their duties as such pension commissioners they are hereby given full authority to establish and promulgate any rules and regulations and to prepare and publish all necessary blanks, forms, circulars and such other literature as may be necessary to carry out the purposes and intent of this act not provided for specifically herein.

(2) That the State auditor is authorized and directed to appoint a pension clerk who shall be known as secretary to the Alabama pension commission, who shall perform such duties as are required by the rules, regulations and directions of said board, and who shall draw all warrants required thereby under the direction of the State auditor.

(3) Said clerk or secretary shall receive a salary of \$1,800.00 per annum, payable monthly out of the pension fund and a continuing appropriation is hereby made out of such fund to pay such salary. The probate judge of each county of the State is hereby constituted the county pension commissioner and is charged with the performance of the several duties required of him by this act.

(4) Any bona fide citizen of this State who has been a resident thereof for a period of five years at the time of filing his

application and who actually served as a soldier or sailor in the Army or Navy of the Confederate States of America or of the State of Alabama for or during the period of the War Between the States and who did not desert the service of the State of Alabama or the Confederate States and who does not own in real or personal property, one or both to the value of more than five thousand dollars or whose wife does not own property of such value, or who do not together own property of such value or whose property income does not exceed \$1,200.00 per annum, shall be entitled to the provisions of this act.

(5) The widow of any soldier or sailor in the service of the State of Alabama or of the Confederate States of America such as is set forth in section 4 of this act who was married to such soldier prior to January 1st, 1900, and who has not remarried since the death of such soldier or sailor as whose widow she makes application for pension and who was not at the time of her husband's death, separated from him by divorce or was not voluntarily living apart from her husband during the period of one year prior to his death and whose husband did not desert the service of the State of Alabama or of the Confederate States and who at the time of filing said application does not own real or personal property or both to the value of \$5,000.00 whether in fee simple or life interest therein or whose income from all sources does not exceed \$1,200.00 per annum, who is an actual bona fide resident of the State of Alabama and has been such for a period of five years prior to the filing of said application shall be entitled to relief under the provisions of this act.

(6) Any soldier or sailor as set forth in section 4 of this act who deems himself entitled to the benefits of this act shall file with the probate judge of the county in which he resides, his application in writing, sworn to before some officer authorized to administer oaths, and upon blanks to be furnished by such judge of probate setting forth that he was a Confederate soldier or sailor in the service of the State of Alabama or of the Confederate States that he did not desert the service, but rendered actual service as such soldier or sailor, that neither he nor his wife, separately or together are possessed of property of more than \$5,000.00, whether taxable or exempt property, money on deposit in banks in this or any other State, or investments in mortgages, bonds or any other securities, and that his income is not over \$1,200.00 per annum. He shall also state in what company and regiment or other command he rendered service as such soldier or sailor, and whether he was honorably discharged or whether he surrendered with the Army, giving date and place of his enlistment in the service, the date and place of termination of his

service and the reason therefor, his age at the time of making such applications, whether wounded and in what engagements, and if taken prisoner, where captured and when, where confined as a prisoner, and under what conditions discharged, and whether he has before made application to be placed on the pension roll of this or any other State and been rejected, giving the date of such rejection and the reason assigned therefor, and that he did not, after entering the service as stated take the oath of allegiance to any other government than the Confederate States of America before April 9th, 1865. He shall also state whether he has been on the pension roll of any other state, giving name of State.

(7) The widow of any soldier or sailor deeming herself entitled to the benefits of this act, shall file with the probate judge of the county of which she is a bona fide resident, her application in writing and sworn to before some officer authorized to administer oaths, on blanks furnished by the judge of probate, such blanks conforming substantially to requirements set forth in section 5 of this act, and in addition shall show the name of the deceased husband and date of his death, his company and regiment, the date of her marriage, her age at the time of making application, and whether application before has been made and rejection had or name dropped from pension roll before and when and reason assigned.

(8) The widow of any Confederate soldier or sailor on the pension roll at the time of his death shall be entitled to be placed upon the pension roll upon the formal application on blanks furnished by the probate judge of the county and satisfactory proof that she is the widow of such pensioner and said applicant shall be subject to the same requirements as are set forth in section 6 of this act.

(9) All applications shall be filed with the probate judge and shall be immediately forwarded by him, together with all papers pertaining thereto, the Alabama pension commissioners. For such service the probate judge shall receive fifty cents for each application to be paid out of the county treasury, provided he shall not receive compensation from more than one application of any applicant in any one year.

(10) No applicant will have his or her name placed upon the pension rolls of this State unless at least one witness who was a Confederate soldier and can establish his record as such certifies to the fact that the applicant or the husband of the applicant rendered the service as set forth in said application. In addition thereto there shall be required the certificate of two disinterested witnesses that the applicant is trustworthy and reliable

and that they have full reason to believe and do believe that the statements made in said application are true and correct.

(11) All soldiers and sailors who are entitled to the benefits of this act who are now or may hereafter be placed on the pension rolls of the State, shall constitute Class A and shall receive twelve and fifty one hundredths dollars monthly to be paid quarterly. All widows now on the pension roll in class one shall remain in said class and all widows now on the pension roll in class two shall remain in said class and all widows on the pension roll in class three shall remain in said class and all widows hereafter placed on the pension roll shall be placed and shall remain in class three; and the widows in each class shall receive the amount actually received by a widow in such class drawing for four quarters during the fiscal year ending September 30th, 1919, and such pensions shall be paid quarterly in like manner as pensions were paid for said fiscal year.

(12) The State auditor shall have prepared records to be used as a permanent State record of pensions in which shall be recorded in alphabetical order according to county and class, the names of all pensioners with columns showing dates of issuance by quarters, together with a suitable column in which shall be entered promptly the date of death or other cause for the discontinuance of the pension. Such record shall be kept up to date by the prompt entry thereon of all new names, with date of granting application, and when payment to any pensioner shall cease the reason therefor shall be so stated of record.

(13) All applications rejected by the pension commission shall be entered upon a permanent record with reasons for such rejection, and the original application and all papers connected therewith shall be returned to the probate judge, who shall file them for permanent preservation and reference.

(14) The State auditor shall furnish to the probate judge for free use by applicant on forms approved by the pension commissioners all necessary blanks, which together with all stationery necessary to carry out the provisions of this act are to be paid for by the State as other stationery.

(15) That there is hereby appropriated from the pension fund annually for the use of the auditor for the employment of clerical or other assistance and any other necessary expense which may arise in the carrying out of the provisions of this act, the sum of \$1,200.00.

(16) All pensions are to be paid in quarterly payments on the first day of October, January, April and July of each fiscal year, on warrants drawn by the State auditor on the State treasurer in favor of each each and every pensioner payable out of the

Confederate pension fund for the amount due each pensioner, as classified. Such warrants shall be issued by the pension clerk in the name of the auditor, and the record of issuance and accounting for the same shall be as for other warrants issued by the auditor.

(17) Pension warrants shall be sent from the auditor's office to reach the probate judge of each county of the State, not later than the last day of each quarter.

(18) The judge of probate shall deliver such warrant to the payees having them to sign the receipt therefor which receipts the probate judge shall retain for not more than thirty days and together with all undelivered pension warrants shall at the expiration of such time return at once to the auditor's office stating on said warrants the date of return, the reason for such non-delivery, and if dead, the date of death and if removed from the State, the date of such removal, and such so returned shall be endorsed by the auditor "cancelled" on the face thereof with the dates and reasons for such cancellation and no other warrants shall be issued in the place of such cancelled warrants except it be shown by satisfactory proof that such cancellation was erroneously done. The probate judge in the event he does not know the person applying for such warrant is the identical person named in such warrant and entitled thereto must require satisfactory proof of these facts before the delivery of such warrant. In the event the pensioner shall be physically unable to appear before the probate judge in person in order that he or she may receive the warrant, delivery may be made through a reliable citizen of the county in which the pensioner resides on the written request of said pensioner and on the affidavit of such citizen that the pensioner is at the time of such delivery of warrant actually living in the county and is physically unable to appear in person before such probate judge. At the time of such delivery the probate judge shall furnish the person through whom the warrant is delivered a blank receipt to be signed by the pensioner which receipt shall show the post-office address of the pensioner and where and with whom residing, and such receipt shall be returned to the probate judge who shall return the same to the auditor with other receipts, and the probate judge shall be responsible and liable on his official bond to the State of Alabama for the failure or wrongful delivery of said warrant. Each warrant before being paid must bear the endorsement of the payee attested by some witness in writing and where payee is unable to write such endorsement shall be attested by two witnesses in writing.

(19) The probate judge shall thirty days before the end of each quarter, revise the pension rolls of their respective counties and if upon careful investigation it shall appear to them that any

pensioner whose name stands in the roll, is in any way illegally drawing a pension, the name of such pensioner together with the name of any pensioner who has died or removed from the State shall be sent to the Alabama pension commissioner with the recommendation that said name be dropped from the roll. If upon the receipt of such information it should appear that any erasures should be made from the roll the probate judge shall be so notified, and no warrant shall thereafter be issued to any pensioner whose name the pension commission shall decide should be erased from the pension roll. Any soldier, sailor or widow who shall become a resident citizen of another State shall be dropped from the pension roll of this State and the probate judge is expressly prohibited from delivering to any payee the pension warrant who is at the time of such delivery residing outside the State and has no fixed abode within the State, and in case of absence from any cause for a period of twelve months the name of the pensioner shall be stricken from the pension roll. On the return of such pensioner to the State where affidavit is made that such return is permanent the name of such pensioner shall be restored to the pension roll without further proof, provided that in all cases where the pensioners shall have been absent from the State for more than twelve months they shall comply with all requirements of this act as to residence as are required of pensioners making original application to be placed on the pension rolls, and provided further that no pensioners shall be entitled to any quarterly allowance during the time so stricken from the roll.

(20) An applicant who has been rejected may file his or her application again after the lapse of three months, but if only the original application and no new or additional proof shall be offered the probate judge shall refuse to consider the application.

(21) If it shall be ascertained that the pensioner secured the grant of his pension by misrepresentation, either by himself or others, the name of such pensioner shall be stricken from the pension roll of the State and the facts reported by the probate judge to the grand jury of the county of the pensioner's residence for its consideration.

(22) Any applicant or witness who is examined or whose affidavit is used in connection with an application, who knowingly swears falsely to any material matter in connection therewith shall be guilty of perjury, any person who shall receive from the probate judge a warrant of another person without authority to receive the same, or who having or receiving it shall appropriate it to his own use or who shall receive any pension money or warrant in any way without being entitled thereto or authorized to receive the same shall be guilty of embezzlement.

(23) No person shall purchase or receive a transfer of any pension or warrant issued or to be issued under this act before the date provided for issuing warrants herein provided, unless in writing transferred for face value or supplies of merchandise or unless discounted at nothing more than legal rate of interest, which shall be stated in the instrument of transfer, and a copy of such transfer must be made and filed with the probate judge to be returned with the receipt to the State auditor.

(24) Whenever it is made to appear to the probate judge that the name of a pensioner has through any error or omission or inadvertence after the passage of this act been dropped from or left off the list of pensioners he shall certify such fact and the length of time omitted or dropped and the amount due such pensioner, to the State pension commission and if it is satisfactorily shown that such pensioner is justly entitled to be restored, the pension commission shall on order and the auditor shall issue his warrant for the amount shown to be due said warrant to be delivered to the pensioner as other warrants are delivered.

(25) During the month of January of each year, it shall be the duty of the probate judge to publish in a newspaper of the county, an alphabetical list with full names and post-office address of all the pensioners on the pension roll of his county indicating such as are widows. Such list shall be published one time and be paid for from the county treasury at no more than the legal or contract rate for printing. The probate judge shall furnish to the secretary of the pension commission a copy of such publication who shall keep the same in permanent file for the inspection of the pension committee.

(26) The probate judge of each county shall at least twice a year submit a certified list of the pensioners on the roll of his county with the post office address of each to the judge of the circuit court or court of like jurisdiction who shall specifically charge the grand jury to investigate the pension list for the purpose of ascertaining such as are not entitled to pensions, and that the list may be purged of any names on said list who are not entitled to receive pensions, and that the list may be purged of any names on said list who are not entitled to receive pensions, and it shall be the duty of the foreman of such grand jury to report through the probate judge to the pension commission the recommendation of the grand jury as to such names as from their investigation are not entitled to the benefits of this act and such names shall on order of the pension commission be stricken from the pension roll.

(27) When it shall be reported to the pension commission or it shall come to their knowledge that any person whose name is

on the pension roll is not entitled to a pension, or through fraud or misrepresentation has been placed on the pension roll, and has been receiving a pension from the State, the pension commission shall make inquiry into such charges and if they are satisfied as to the probably correctness thereof, reference of the same shall be made to the probate judge of the county where the pensioner resides, who shall make full investigation and report the result thereof to the pension commission. If the charges are established the name of such pensioner shall be stricken from the pension roll and the State auditor shall ascertain and make demand upon the pensioner for the refunding of the amount received and on failure of pensioner to immediately refund the same, the auditor shall report such fact to the attorney general for collection.

(28) Should a pensioner die leaving a widow who would be entitled to a pension under the provisions of this act, or if there be no widow, leaving a minor child or children, or should a widow die leaving a minor child or children the probate judge shall deliver the warrant of the next quarterly issue, succeeding the death of said pensioner, to the widow, or if there be no widow, to the minor child or children of such pensioner, and should there be no widow or minor child of such deceased pensioner, the probate judge shall endorse such fact on the pension warrant and collect the same and apply the proceeds, first to the payment of the burial expenses, and second, to the expenses of the last illness of the pensioner, attaching thereto a receipt of statement of payment of such expenses.

(29) Any person who violates any provision of this act, where a penalty is not otherwise provided, shall be guilty of a misdemeanor, and upon conviction thereof, shall be fined not exceeding five hundred dollars (\$500.00).

(30) The State pension commission is expressly prohibited from placing on the pension rolls of the State the name of any person or persons who served only in the State troops, State militia or home guard, or the widow of any such person or persons.

(31) Should any clause, paragraph, section or part of this bill be held invalid or unconstitutional, the same shall not affect any other clause, paragraph, or section or part of the bill.

(32) No applicant who has been purposely stricken from the pension roll shall be entitled to any back pay for the time his or her name was stricken from the roll, and no back pay shall in any case, be granted except to those making application, as set forth in this act.

(33) In all applications for pensions hereafter, there shall be included a schedule of property owned, as provided in this act, and as prepared under direction of the Alabama pension commission, and in addition thereto, the tax assessor shall make certificate as to the assessed value of property of the pensioner and his wife, as shown by the assessment returns of his county, and that to the best of his knowledge the pensioner and his wife do not own property in the excess of five thousand dollars (\$5,000.00).

(34) When a soldier or sailor on the pension roll shall by reason of insanity be confined in the insane hospital, his name shall be dropped from the pension roll for the period of such confinement and the name of his wife shall be placed on the pension roll in class three and she shall receive such pension allowance as those in such class receive, and in event such soldier or sailor shall be discharged from the insane hospital, his name shall be restored to the pension rolls and the name of his wife shall be stricken therefrom.

(35) That should there not be a sufficient amount arising from the special one mill soldier tax to meet the payment of pensions as provided for in this act, there is hereby appropriated a sufficient amount out of any money in the State treasury to meet such payments. Provided that all pensioners now on the roll shall be paid as they are now paid until January first, 1920.

(36) This act shall be in full force and effect from the date of approval by the governor, and all laws and parts of laws in conflict are hereby repealed.

And requests a committee of conference. Pursuant to such requests, the President of the Senate appointed as conferees on the part of the Senate Messrs. Brown, McDowell and Beale.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has concurred in adopted the amendment proposed by the governor to the bill:

H. 650. To provide for the appointment of bailiffs in circuits composed of only one county and having four or more judges, and having a sheriff serving on a salary basis, and to fix the compensation of such bailiffs and provide for its payment.

Said governor's amendment being as follows:

September 15, 1919.

Gentlemen of the House of Representatives:

I return herewith House bill 650, without my approval.

The body of the act provides that in all counties in the State having a population of 200,000 or more according to the last or any subsequent Fed-

eral census the bailiffs of all courts of record in such counties shall be appointed by the judges of such courts. The difference in the basis of classification of the counties to which the act shall apply, as between the title and the body of the act, is such that it cannot be said that the scope and purpose of the act are clearly set forth in the title.

This was the original title of the act. The body of the act was so changed by amendment in the Senate as to create this divergence between the body of the act and the title which was allowed to remain as it was in the original bill.

To remove my objection, I suggest the following amendment of the title, namely: Amend the title of the act so as to read as follows:

"A bill to be entitled an act to provide for the appointment of bailiffs in all courts of record in all counties of the State of Alabama having a population of 200,000 or more according to the last or any subsequent Federal census, and to fix the compensation of such bailiffs and to provide for the payment of such compensation."

Respectfully,
Thos. E. Kilby,
Governor.

By a vote of Yeas, 66; Nays, 0; which was a majority of the whole number elected to the House of Representatives.

And sends same herewith to the Senate.

Fred H. Gormley,
Clerk.

HOUSE AND GOVERNOR'S MESSAGE.

On motion of Mr. West, the Senate concurred in and adopted the amendment proposed by his excellency, the governor, to House bill No. 650, the title of which is set out in the foregoing message from the House and said amendment being set out in the foregoing message from the governor.

Yeas, 21; Nays, 0.

Yeas:

Messrs:

Acker	Carmichael	Leith	Sims
Baker	Craft	McDowell	Smith (Coosa)
Beale	Evins	Prestwood	Smith (Lawrence)
Bedsale	Griffith	Rogers (Lauderdale)	Tally
Brown	Gunter	Rogers (Sumter)	West
Butler			

—21

Nays:—None.

MESSAGE FROM THE HOUSE.

Mr. President:

The House accedes to the request of the Senate for a committee of conference on the disagreement of the two houses on the House amendment to the bill:

S. 12. To provide for all soldiers and sailors who were in the military or naval services of the State of Alabama and for those who served in the Army or Navy of the Confederate States of America with certain exceptions and who did not desert the same in the War Between the States of the United States of America in the years 1861, 1862, 1863, 1864, 1865, and who are bona fide resident citizens of the State of Alabama and to regulate and to provide for the payment of such pensions by the State of Alabama.

And the Speaker of the House has appointed as conferees on the part of the House: Messrs. Wilson, Smith and Preston.
Fred H. Gormley,
Clerk.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has originated and passed the following bill:

By Mr. Jones of Montgomery:

H. 1125. To amend subdivision 84 of section 361 of an act to provide for the general revenue of the State of Alabama, approved Sept. 15th, 1919.

And ordered the same sent forthwith to the Senate without engrossment.

Fred H. Gormley,
Clerk.

HOUSE MESSAGE.

The House bill in the foregoing House message was read once and referred to appropriate standing committee as follows:

H. 1125, to the Committee on Finance and Taxation.

RESOLUTION.

Mr. McDowell offered the following Senate resolution:

S. R. 145. In recognition of that splendid class of citizens of Alabama who stood by the State when men were needed, known as the "Confederate Soldier."

It is resolved by the Senate, that no further appropriations be made by the Senate until the Confederate soldier's pension bill has been passed and the necessary fund put in the budget bill.

Which was read and referred to the Standing Committee on Education.

BILLS ON THIRD READING RESUMED.

The bill:

S. 707. To vacate the dedication of all streets, roads, avenues and alleys through, over, on or across the following described

property, situated in the county of Montgomery and State of Alabama, to-wit: Beginning at the half mile corner in the center of section ten (10), township sixteen (16), range seventeen (17); thence west twenty-one hundred forty-five (2,145) feet to the right of way of the Mobile & Ohio Railroad; thence along said railroad right of way north forty (40) degrees thirty (30) minutes west twenty-eight hundred two (2,802) feet; thence and continue with said railroad right of way north forty-two and one-half ($42\frac{1}{2}$) degrees west one hundred ninety-four (194) feet to a stake; thence north forty-nine (49) degrees thirty (30) minutes east twelve hundred forty-three (1,243) feet; thence north seventy-two and one-half ($72\frac{1}{2}$) degrees east six hundred three (603) feet; thence north forty-four (44) degrees east nine hundred sixty-two (962) feet to the Washington Ferry Road; thence along the west side of said road south fifty-three and one-half ($53\frac{1}{2}$) degrees east nine hundred (900) feet; thence and continue with said road south forty-five and one-half ($45\frac{1}{2}$) degrees east two hundred twenty-five feet; thence and continue with said road south thirty-nine (39) degrees thirty (30) minutes east five hundred (500) feet; thence and continue with said road south thirty (30) minutes east one hundred one (101) feet; thence and continue with said road south sixteen (16) degrees east five hundred (500) feet; thence and continue with said road south thirty (30) minutes east five hundred (500) feet; thence and continue with said road south twenty (20) degrees east one hundred eighty (180) feet; thence and continue with said road south twenty-seven (27) degrees east eighty-nine (89) feet to a stake; thence south (1) degree west five hundred eighty-one (581) feet to a stake; thence east three hundred seventy-seven (377) feet to a stake; thence south along the half section line five hundred eighty-seven (587) feet and to a point three hundred seventy-three (373) feet north of the said center of section ten (10); thence south fifty-seven and one-half ($57\frac{1}{2}$) degrees east ninety-four (94) feet; thence south eighty-six (86) degrees east eight hundred nineteen (819) feet; thence south fifteen (15) degrees east two hundred sixty-four (264) feet to a stake; thence west forty-one (41) feet; thence south fifteen (15) degrees east two thousand sixty-five (2,065) feet to the Selma road, thence along said road south seventy-five (75) degrees west five hundred seven (507) feet; thence south fifty-four (54) degrees west one hundred forty-two (142) feet along the said road; thence and continue the said Selma road south forty-four (44) degrees west five hundred forty-three (543) feet to the intersection of the right of way of the Mobile and Ohio Railroad; thence along and with the curvature of said railroad right of way north sev-

enty-two (72) degrees west two hundred seventy (270) feet; thence and continue with said railroad right of way north sixty-five and one-half ($65\frac{1}{2}$) degrees west two hundred forty-five (245) feet to the half section line dividing section ten (10); thence north along said half section line twenty-four hundred twenty (2,420) feet to the center of section ten (10), township sixteen (16), range seventeen (17), the said point of beginning.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 28; Nays, 0.

Yeas:

Messrs:

Acker	Carmichael	Harper	Prestwood
Baker	Cowan	Kelly	Rogers (Sumter)
Beale	Craft	Leith	Sims
Bedsole	Espy	Morris	Smith (Coosa)
Briscoe	Evins	McDowell	Smith (Lawrence)
Brown	Griffith	Nance	Tally
Butler	Gunter	Phillips	West

—28

Nays:—None.

The bill:

S. 712. To make appropriations to the Alabama Girls Technical Institute.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 22; Nays, 2.

Yeas:

Messrs:

Beale	Espy	Miller	Rogers (Sumter)
Briscoe	Evins	Morris	Sims
Butler	Griffith	Nance	Smith (Coosa)
Carlton	Gunter	Phillips	Tally
Carmichael	Harper	Rogers (Lauderdale)	West
Craft	Kelly		

—22

Nays:

Messrs:

Baker Leith

—2

The bill:

S. 713. To make appropriations to the University of Alabama.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 24; Nays, 3.

*Yeas:**Messrs:*

Acker	Carmichael	Harper	Rogers (Lauderdale)
Beale	Craft	Kelly	Rogers (Sumter)
Bedsole	Espy	Miller	Sims
Butler	Evins	Morris	Smith (Coosa)
Caffey	Griffith	Nance	Tally
Carlton	Gunter	Phillips	West

—24

*Nays:**Messrs:*

Baker	Leith	Moore
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—3

The bill:

S. 714. To appropriate the sum of \$7,500.00 to supplement a fund of \$15,000.00 to be raised by the citizens of Blountsville to rebuild the Ninth District Agricultural School building, recently destroyed by fire.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 21; Nays, 4.

*Yeas:**Messrs:*

Acker	Caffey	Gunter	Rogers (Sumter)
Beale	Carmichael	McDowell	Sims
Bedsole	Cowan	Nance	Smith (Lawrence)
Briscoe	Espy	Phillips	Tally
Brown	Griffith	Rogers (Lauderdale)	West
Butler			

—21

*Nays:**Messrs:*

Baker	Leith	Morris	Prestwood
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—4

The bill:

S. 715. To make an appropriation for the maintenance and support of the State Training School for Girls, and for the erection and equipment of buildings and furniture and equipment therefor.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 25; Nays, 3.

*Yeas:**Messrs:*

Acker	Carmichael	Kelly	Rogers (Lauderdale)
Beale	Cowan	Miller	Rogers (Sumter)
Bedsole	Craft	Morris	Sims
Briscoe	Griffith	McDowell	Smith (Lawrence)
Brown	Gunter	Nance	Tally
Butler	Harper	Phillips	West
Caffey			

—25

Nays:
Messrs:
Baker

Moore

Prestwood

—3

The bill:

S. 716. To provide for making appropriations to the Alabama Polytechnic Institute.

Was taken up.

Mr. Carmichael offered the following substitute for said bill, to-wit:

SUBSTITUTE SENATE BILL 716.

To be entitled an act to provide for making appropriations to the Alabama Polytechnic Institute.

Be it enacted by the Legislature of Alabama:

Section 1. That there is hereby appropriated to the Alabama Polytechnic Institute for each year of the quadrennium beginning October 1, 1919, out of any monies in the State treasury not otherwise appropriated, except as to such items for which the revenue is specifically provided for under separate acts, the following:

(1). In lieu of the share of the proceeds from the sale of fertilizer tags heretofore paid to the Alabama Polytechnic Institute the sum of forty thousand (\$40,000) dollars annually.

(2). The sum of fifteen thousand (\$15,000) dollars for the year beginning October 1, 1919, the sum of twenty-five thousand (\$25,000) dollars for the year beginning October 1, 1920, the sum of thirty-five thousand (\$35,000) dollars for the year beginning October 1, 1921, and the sum of forty-five thousand (\$45,000) dollars for each and every year thereafter, for the maintenance and support.

(3). For equipment, building, operation, and maintenance in the animal husbandry department, ten thousand (\$10,000) dollars for the year beginning October 1, 1919; ten thousand (\$10,000) dollars for the year beginning October 1, 1920; twelve thousand five hundred (\$12,500) dollars for each and every year thereafter.

(4). For the operation and maintenance of the summer school, five thousand (\$5,000) dollars for the year beginning October 1, 1920, and for each and every year thereafter.

(5). For investigation in agriculture at Auburn, five thousand (\$5,000) dollars for the year beginning October 1, 1919, and seven thousand five hundred (\$7,500) dollars for each and every year thereafter.

(6). For interest on endowment fund, Federal grant 1862 (Code of Alabama 1907, section 1910) this amount being twenty thousand two hundred eighty (\$20,280) dollars annually.

Section 2. That there is hereby appropriated to the Alabama Polytechnic Institute out of any monies in the State treasury not otherwise appropriated for building, repair and equipment the following:

(1). For the fiscal year beginning October 1, 1920, the sum of sixty-two thousand five hundred (\$62,500) dollars.

(2). For the fiscal year beginning October 1, 1921, the sum of sixty-two thousand five hundred (\$62,500) dollars.

Section 3. That the above appropriations with the exception of the one for the summer school which will be paid on July 1, annually, shall be paid quarterly on the first of October, January, April, and July out of any monies in the State treasury not otherwise appropriated upon the requisition of the president of the Alabama Polytechnic Institute upon the State auditor who shall draw his warrant upon the State treasurer in favor of the treasurer of the Alabama Polytechnic Institute for the amount for which requisition is made.

Which was adopted.

Yeas, 24; Nays, 3.

Yeas:

Messrs:

Acker	Carmichael	Harper	Rogers (Lauderdale)
Beale	Cowan	Kelly	Rogers (Sumter)
Briscoe	Craft	Miller	Sims
Brown	Espy	Morris	Smith (Lawrence)
Butler	Griffith	McDowell	Tally
Caffey	Gunter	Phillips	West

—24

Nays:

Messrs:

Baker	Leith	Prestwood
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—3

And said bill, as thus amended, was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 23; Nays, 3.

Yeas:

Messrs:

Acker	Caffey	Griffith	McDowell
Beale	Carlton	Gunter	Nance
Bedsole	Carmichael	Harper	Phillips
Briscoe	Cowan	Miller	Rogers (Lauderdale)
Brown	Craft	Moore	West
Butler	Espy	Morris	

—23

Nays:

Messrs:

Baker	Leith	Prestwood
-------	-------	-----------

—3

The bill:

S. 721. To provide for appropriation to the Alabama School of Trades and Industries at Ragland.

Was read a third time at length, passed and ordered sent forthwith to the House without engrossment.

Yeas, 26; Nays, 2.

Yeas:

Messrs:

Acker	Carlton	Kelly	Rogers (Lauderdale)
Beale	Carmichael	Leith	Rogers (Sumter)
Bedsole	Cowan	Morris	Sims
Briscoe	Craft	McDowell	Smith (Lawrence)
Brown	Espy	Nance	Tally
Butler	Griffith	Phillips	West
Caffey	Harper		

—26

Nays:

Messrs:

Baker Prestwood

—2

The bill:

S. 717. To make appropriations to the Alabama Boys Industrial School.

Was read a third time at length, passed and ordered sent forthwith to the House without engrossment.

Yeas, 25; Nays, 1.

Yeas:

Messrs:

Acker	Carlton	Miller	Rogers (Sumter)
Beale	Carmichael	Morris	Sims
Bedsole	Cowan	Nance	Smith (Coosa)
Briscoe	Craft	Phillips	Smith (Lawrence)
Brown	Espy	Prestwood	Tally
Butler	Leith	Rogers (Lauderdale)	West
Caffey			

—25

Nays:

Mr. Baker—1.

The bill:

S. 718. To amend section 1952 of the Code of Alabama of 1907.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 24; Nays, 2.

Yeas:

Messrs:

Acker	Bedsole	Brown	Caffey
Beale	Briscoe	Butler	Carlton

Carmichael	Evins	Kelly	Nance
Cowan	Griffith	Miller	Phillips
Craft	Gunter	Moore	Rogers (Lauderdale)
Espy	Harper	McDowell	Rogers (Sumter)
—24			
<i>Nays:</i>			
<i>Messrs:</i>			
Baker	Prestwood		—2

The bill:

S. 719. To amend section 1946 of the Code of Alabama of 1907.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 22; Nays, 0.

<i>Yeas:</i>			
<i>Messrs:</i>			
Acker	Caffey	Evins	McDowell
Beale	Carlton	Griffith	Rogers (Lauderdale)
Bedsole	Carmichael	Gunter	Rogers (Sumter)
Briscoe	Cowan	Kelly	Tally
Brown	Craft	Morris	West
Butler	Espy		—22

Nays:—None.

The bill:

S. 720. To amend sections 1941 and 1942 of the Code of Alabama of 1907.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 23; Nays, 0.

<i>Yeas:</i>			
<i>Messrs:</i>			
Acker	Carlton	Leith	Rogers (Sumter)
Beale	Carmichael	Morris	Sims
Briscoe	Cowan	McDowell	Smith (Lawrence)
Brown	Espy	Nance	Tally
Butler	Griffith	Phillips	West
Caffey	Gunter	Rogers (Lauderdale)	—23

Nays:—None.

The bill:

S. 722. To make an appropriation to the Alabama illiteracy commission or to the State board of education, if created, for the removal of illiteracy in Alabama.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 22; Nays, 1.

Yeas:

Messrs:

Acker	Carmichael	Miller	Rogers (Sumter)
Beale	Cowan	Moore	Sims
Bedsole	Craft	Nance	Smith (Coosa)
Briscoe	Evins	Phillips	Tally
Butler	Harper	Rogers (Lauderdale)	West
Caffey	Kelly		

—22

Nays:

Mr. Tally—1.

The bill:

S. 723. To make an appropriation for the benefit of those counties that may be levying and collecting a special county school tax during any fiscal year, and to provide for the expenditure of the funds set apart for any county by the county board of education.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 19; Nays, 0.

Yeas:

Messrs:

Acker	Carlton	Harper	Phillips
Beale	Carmichael	Kelly	Rogers (Lauderdale)
Briscoe	Cowan	Miller	Rogers (Sumter)
Butler	Espy	Morris	West
Caffey	Griffith	Nance	

—19

Nays:—None.

The bill:

S. 724. To make an appropriation for the establishment of libraries in the rural, village and town schools of Alabama.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 20; Nays, 2.

Yeas:

Messrs:

Acker	Butler	Espy	Morris
Beale	Caffey	Griffith	Phillips
Bedsole	Carmichael	Gunter	Rogers (Lauderdale)
Briscoe	Cowan	Harper	Rogers (Sumter)
Brown	Craft	Miller	West

—20

Nays:

Messrs:

Baker	Tally
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—2

The bill:

S. 725. To amend section 8 of an act "To provide for the acceptance of the benefits of an act by the Senate and House of

Representatives of the United States of America in Congress assembled, to provide for the promotion of vocational education; to provide for the appointment of a State board of vocational education; and to provide for the duties thereof; and to make appropriations for vocational education," approved February 15, 1919.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 18; Nays, 0.

Yeas:

Messrs:

Acker	Caffey	Gunter	Phillips
Beale	Carmichael	Harper	Rogers (Lauderdale)
Briscoe	Cowan	Miller	Smith (Lawrence)
Brown	Espy	Morris	West
Butler	Griffith		

—18

Nays:—None.

The bill:

S. 726. To amend an act entitled an act "To create and establish a reform school for the training of juvenile lawbreakers at Mt. Meigs, Alabama; to make appropriations for the purpose, and accept by donation all such lands and buildings as are needful therefor; to create a board of trustees, and to provide for the suitable management of said institution." Approved April 24, 1911.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 21; Nays, 0.

Yeas:

Messrs:

Acker	Carlton	Gunter	Nance
Beale	Carmichael	Kelly	Phillips
Bedsole	Cowan	Miller	Rogers (Lauderdale)
Brown	Espy	Morris	Tally
Butler	Griffith	McDowell	West
Caffey			

—21

Nays:—None.

The bill:

S. 727. To provide for changing the name and for making an appropriation to the Huntsville State Normal and Industrial School, to be known as the Agricultural and Mechanical College for Negroes.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 20; Nays, 0.

Yeas:

Messrs:

Acker	Caffey	Griffith	Rogers (Lauderdale)
Beale	Carmichael	Harper	Rogers (Sumter)
Bedsole	Cowan	Kelly	Sims
Brown	Craft	Nance	Smith (Lawrence)
Butler	Evins	Phillips	West

—20

Nays:—None.

The bill:

S. 728. To change the name of the Northeast Alabama Agricultural and Industrial Institute at Lineville and to make an appropriation for its maintenance and support.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 22; Nays, 0.

Yeas:

Messrs:

Acker	Cowan	Morris	Rogers (Sumter)
Bedsole	Espy	McDowell	Sims
Brown	Evins	Nance	Smith (Lawrence)
Butler	Griffith	Phillips	Tally
Caffey	Harper	Rogers (Lauderdale)	West
Carmichael	Miller		

—22

Nays:—None.

The bill:

S. 729. To change the name of each of the nine branch district agricultural schools and experiment stations and to make appropriations for their maintenance and support.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 24; Nays, 0.

Yeas:

Messrs:

Acker	Carlton	Griffith	Phillips
Beale	Carmichael	Harper	Rogers (Lauderdale)
Bedsole	Cowan	Kelly	Rogers (Sumter)
Brown	Craft	Leith	Smith (Lawrence)
Butler	Espy	Moore	Tally
Caffey	Evins	McDowell	West

—24

Nays:—None.

The bill:

S. 730. To make an appropriation for the maintenance and supervision of county high schools.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 22; Nays, 0.

Yeas:

Messrs:

Acker	Carmichael	Morris	Rogers (Sumter)
Beale	Cowan	McDowell	Sims
Bedsole	Espy	Nance	Smith (Lawrence)
Brown	Evins	Phillips	Tally
Butler	Miller	Rogers (Lauderdale)	West
Caffey	Moore		

—22

Nays:—None.

The bill:

S. 731. To make an appropriation to the State board of education.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 22; Nays, 2.

Yeas:

Messrs:

Acker	Carmichael	Harper	Rogers (Lauderdale)
Beale	Cowan	Kelly	Rogers (Sumter)
Bedsole	Craft	Miller	Smith (Lawrence)
Brown	Espy	Nance	Tally
Butler	Griffith	Phillips	West
Caffey	Gunter		

—22

Nays:

Messrs:

Leith	Morris
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—2

The bill:

S. 732. To make an appropriation for the erection, repair and equipment of rural schoolhouses.

Was taken up.

Mr. Acker offered the following amendment to said bill:

Amend S. 732 by adding section 4 as follows:

"Section 4. On September 1st of each year any balance of the appropriation unexpended and for which an application shall not have been approved, shall be re-apportioned among the counties which have applications pending in excess of the appropriations for said counties.

Which was adopted.

Yeas, 22; Nays, 2.

Yeas:

Messrs:

Acker	Bedsole	Butler	Carmichael
Beale	Brown	Caffey	Cowan

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Craft	Kelly	Phillips	Sims	
Espy	Miller	Rogers (Lauderdale)	Smith (Lawrence)	
Griffith	McDowell	Rogers (Sumter)	West	
Harper	Nance			—22

Nays:
Messrs:
Leith

Prestwood

—2

And said bill, as thus amended, was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 21; Nays, 0.

Yeas:			
Messrs:			
Acker	Carlton	Griffith	Morris
Beale	Carmichael	Harper	McDowell
Bedsole	Cowan	Kelly	Rogers (Lauderdale)
Brown	Craft	Miller	Smith (Lawrence)
Butler	Espy	Moore	West
Caffey			
			—21

Nays:—None.

The bill:

S. 733. To amend section 1780 of the Code of Alabama of 1907.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 26; Nays, 0.

Yeas:			
Messrs:			
Acker	Carlton	Gunter	Prestwood
Beale	Carmichael	Harper	Rogers (Lauderdale)
Bedsole	Cowan	Leith	Sims
Briscoe	Craft	Morris	Smith (Coosa)
Brown	Espy	Nance	Tally
Butler	Evins	Phillips	West
Caffey	Griffith		
			—26

Nays:—None.

The bill:

S. 734. To make appropriations to the State department of education.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 24; Nays, 0.

*Yeas:**Messrs:*

Acker	Caffey	Evins	Rogers (Lauderdale)
Beale	Carlton	Griffith	Sims
Bedsole	Carmichael	Gunter	Smith (Coosa)
Briscoe	Cowan	Harper	Smith (Lawrence)
Brown	Craft	Morris	Tally
Butler	Espy	Phillips	West

—24

Nays:—None.

The bill:

S. 735. To make an appropriation to Tuskegee Normal and Industrial Institute.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 22; Nays, 0.

*Yeas:**Messrs:*

Acker	Caffey	Gunter	Sims
Beale	Carlton	Harper	Smith (Coosa)
Bedsole	Carmichael	Morris	Smith (Lawrence)
Briscoe	Cowan	Phillips	Tally
Brown	Craft	Rogers (Lauderdale)	West
Butler	Espy		

—22

Nays:—None.

The bill:

S. 736. To make an appropriation for the State Normal School for colored teachers located at Montgomery.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 22; Nays, 0.

*Yeas:**Messrs:*

Acker	Caffey	Gunter	Sims
Beale	Carlton	Harper	Smith (Coosa)
Bedsole	Carmichael	Morris	Smith (Lawrence)
Briscoe	Cowan	Phillips	Tally
Brown	Craft	Rogers (Lauderdale)	West
Butler	Espy		

—22

Nays:—None.

The bill:

S. 738. To make an appropriation to the public schools.

Was taken up.

Mr. Prestwood offered the following amendment to said bill:

Amend Senate bill No. 738 by striking out \$350,000 where it appears in said bill and inserting in lieu thereof \$500,000.

Amend further by striking out \$500,000 where it appears in said bill and insert in lieu thereof \$650,000.

Which was lost.

Yeas, 7; Nays, 15.

Yeas:

Messrs:

Evins	Harper	Morris	Prestwood	
Gunter	Leith	McDowell		—7

Nays:

Messrs:

Acker	Butler	Craft	Sims	
Beale	Caffey	Espy	Tally	
Bedsole	Carmichael	Kelly	West	
Brown	Cowan	Miller		—15

And said bill was then read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 24; Nays, 0.

Yeas:

Messrs:

Acker	Carlton	Gunter	McDowell	
Beale	Carmichael	Harper	Phillips	
Bedsole	Cowan	Kelly	Prestwood	
Brown	Craft	Leith	Sims	
Butler	Espy	Miller	Tally	
Caffey	Griffith	Morris	West	—24

Nays:—None.

The bill:

S. 737. To make appropriations to the State normal schools for white teachers located at Florence; Jacksonville, Livingston, Troy, Daphne and Moundville.

Was taken up.

Mr. Carmichael offered the following substitute for said bill:

A BILL

To be entitled an act to make appropriations to the State normal schools for white teachers located at Florence, Jacksonville, Livingston, Troy, Daphne, and Moundville.

Be it enacted by the Legislature of Alabama:

Section 1. That for the support and maintenance of the State normal schools for white teachers, located at Florence, Jacksonville, Livingston and Troy there is hereby appropriated to each of said schools for the fiscal year beginning October 1, 1919, the sum of twenty-five thousand (\$25,000) dollars; for the fiscal year beginning October 1, 1920, the sum of thirty thousand (\$30,000)

dollars; for the fiscal year beginning October 1, 1921 the sum of thirty-five thousand (\$35,000) dollars; and for the fiscal year beginning October 1, 1922, the sum of forty thousand (\$40,000) dollars is hereby appropriated for each school and a like sum for each and every year thereafter. For the maintenance and support of the State Normal School for White Teachers located at Daphne there is hereby appropriated the sum of nine thousand (\$9,000) dollars for the fiscal year beginning October 1, 1919; the sum of nine thousand five hundred (\$9,500) dollars for the fiscal year beginning October 1, 1920; the sum of ten thousand (\$10,000) dollars for the fiscal year beginning October 1, 1921; the sum of fourteen thousand (\$14,000) for the fiscal year beginning October 1, 1922, and a like sum for each and every year thereafter. For the maintenance and support of the school for white teachers located at Moundville which is hereby made a county high school, there is hereby appropriated the sum of three thousand (\$3,000) dollars for the fiscal year beginning October 1, 1919, and for each and every year thereafter in accordance with the law for the control and maintenance of county high schools.

Section 2. The following amounts are hereby appropriated out of any money in the State treasury not otherwise appropriated for the purposes indicated, to the State normal schools for whites as follows: To the State normal school at Florence, the sum of ninety-five hundred dollars, for the removal of indebtedness, is hereby appropriated for the fiscal year beginning October 1, 1919, and a like amount for each and every year of the quadrennium or a total of thirty-eight thousand (\$38,000) dollars; to the State normal school at Jacksonville, the sum of three thousand (\$3,000) dollars for the removal of indebtedness is hereby appropriated for the fiscal year beginning October 1, 1919, and a like amount for each and every year for the quadrennium or a total of twelve thousand (\$12,000) dollars; to the State normal school at Livingston, the sum of twenty-five hundred (\$2,500) dollars for additional land and building is hereby appropriated for the fiscal year beginning October 1, 1919, and a like amount for each and every year of the quadrennium or a total of ten thousand (\$10,000) dollars; for the State normal school at Troy, the sum of twenty-five hundred (\$2,500) dollars for repair of building and for equipment, is hereby appropriated for the fiscal year beginning October 1, 1919, and a like amount for each and every year of the quadrennium or a total of ten thousand (\$10,000) dollars.

Section 3. That there is hereby appropriated out of any money in the treasury not otherwise appropriated the sum of

thirty thousand (\$30,000) dollars to each of the State normal schools for whites, located at Florence, Jacksonville, Livingston and Troy, making a total of one hundred twenty thousand (\$120,000) dollars for the erection and equipment of practice schools at each of the said normal schools; provided that this appropriation for practice schools shall become available for the fiscal year beginning October 1, 1920.

Section 4. That all funds appropriated under the provisions of this article shall be paid out upon requisition of the State superintendent of education upon the State auditor who shall **draw his warrant upon the State treasurer** in favor of the treasurer of the school for the amount for which requisition is made.

Section 5. That all laws and parts of laws in conflict with the provisions of this act be and the same are hereby repealed.

Mr. Evins offered the following amendment to said substitute:

Amend substitute to S. 737 by striking out the last sentence of section one of said bill, and inserting in lieu thereof the following:

"For the maintenance and support of the State normal school for white teachers located at Moundville, there is hereby appropriated the sum of nine thousand dollars for the fiscal year beginning Oct. 1, 1919, the sum of nine thousand five hundred dollars for the fiscal year beginning Oct. 1, 1920; the sum of ten thousand dollars for the fiscal year beginning Oct. 1, 1921; the sum of fourteen thousand dollars for the fiscal year beginning Oct. 1, 1923, and a like sum for each and every year thereafter."

Which was lost.

And Mr. Evins also offered the following amendment to said substitute, to-wit:

Amend the substitute to S. 737 by inserting before the word "school" where it first occurs in the last sentence of section 1, the words: "State Normal" and by striking out the words in said last sentence of section 1, the words: "which is hereby made a county high school" and by striking out the words: "Three thousand" and the figures "\$3,000.00" and inserting in lieu thereof the words "Five thousand" and the figures "\$5,000.00" and by striking out the words with which said sentence concludes, viz.: "in accordance with the law for the control and maintenance of county high schools."

Which was lost.

Yeas, 6; Nays, 15.

Yeas:

Messrs:

Evins

Griffith

Harper

Huddleston

Miller

McDowell

Nays:

Messrs:

Acker	Butler	Espy	Rogers (Sumter)
Baker	Caffey	Kelly	Tally
Beale	Carmichael	Morris	West
Bedsole	Cowan	Prestwood	

—15

And Mr. Evins also offered the following amendment to said substitute, to-wit:

Amend substitute to S. 737 by striking out the words "Three thousand" & the figures "\$3,000.00" where they occur in the last sentence of Sec. 1, & inserting in lieu thereof the words: "Five thousand" & the figures "\$5,000.00."

Which was lost.

And the substitute offered by Mr. Carmichael was then adopted.

Yeas, 14; Nays, 5.

Yeas:

Messrs:

Acker	Caffey	Harper	Sims
Beale	Carmichael	Kelly	Tally
Brown	Cowan	Phillips	West
Butler	Craft		

—14

Nays:

Messrs:

Evins	Huddleston	Miller	McDowell
Griffith			

—5

And said bill, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas, 17; Nays, 1.

Yeas:

Messrs:

Acker	Caffey	Griffith	Phillips
Beale	Carmichael	Harper	Sims
Briscoe	Cowan	Kelly	Tally
Brown	Craft	Miller	West
Butler			

—17

Nays:

Mr. Prestwood—1.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has originated and passed the following bill:

By Mr. Woodard:

H. 1067. To establish a board of revenue for Madison county, and to abolish the court of county commissioners thereof, and

to provide for the better working of the public roads of said county.

(With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF LOCAL LAW.

Notice is hereby given that a bill will be introduced in the Legislature of Alabama, at its present session, in substance as follows:

AN ACT

To establish a board of revenue for Madison county, and to abolish the court of county commissioners thereof, and to provide for the better working of the public roads of said county.

Be it enacted by the Legislature of Alabama:

1. There is hereby created and established "The Board of Revenue of Madison County," to be composed of three members, one of whom shall be president of the board of revenue, and all of whom shall be qualified voters of said county.

2. The court of county commissioners of said county, as now constituted, is hereby abolished from and after the time this act becomes effective and is put into operation, and there is hereby conferred upon the board of revenue all jurisdiction and powers which are now, or may hereafter by law be vested in the courts of county commissioners, boards of revenue, or other like governing bodies of the several counties of this State.

3. The president of the board of revenue shall be appointed by the governor, and he shall hold office until the first Monday after the second Tuesday in January, 1925, and until his successor is elected and qualified. At the general election next preceding January 1st, 1925, and thereafter every four years, under the general election laws, a successor to the said president of the board of revenue shall be elected from the county at large, and he shall hold office for a term of four years, and until his successor is elected and qualified. The other two members of the board of revenue shall be appointed by the governor, one to hold office until the first Monday after the second Tuesday in January, 1921, and the other member to hold office until the first Monday after the second Tuesday in January, 1923, and thereafter such members of the board of revenue shall be appointed by the governor every four years, for a term of four years, and until their successors are elected and qualified.

4. The president of the board of revenue shall receive a salary of three thousand dollars per annum, payable monthly from the county treasurer, and the other two members of the board shall each receive ten dollars per diem for each day such member is in attendance upon the meetings of the board, such compensation being payable from the county treasury, provided that no such member of the board, except the president thereof, shall receive compensation for his services in excess of five hundred dollars per annum.

5. The president of the board of revenue is required to give his entire time and attention to the business of the board of revenue; he shall be its presiding officer, and in addition to the rights, powers and duties prescribed by this act, he shall exercise and perform all other rights and duties in relation to the board of revenue, and shall be liable to the same penalties in connection therewith, as are now exercised and performed by the judge of probate of Madison county, in relation to the court of county commissioners. He shall issue warrants to all persons whose claims have been allowed by

the board of revenue in the same manner and under the same restrictions as same have been heretofore issued by the judge of probate of Madison county.

6. Each member of the board of revenue is hereby required, before entering upon the duties of his office, to make and file the statutory oath of office, together with a bond with good and sufficient sureties, to be approved by the judge of probate of said county, payable to Madison county, conditioned for the faithful performance of the duties of their respective offices, such oath and bond to be filed with the judge of probate of said county. The bond of the president of the board shall be fixed by the judge of probate of said county in a sum not less than ten thousand dollars, and the bonds of the other two members of the board are hereby fixed at five thousand dollars each.

7. The board of revenue shall hold regular meetings on the first Monday in each month, and may hold special meetings at any time on the call of the president of the board, or of two members, entered in writing upon the minutes of the board.

8. The board of revenue shall employ a competent engineer, who shall have charge of the road work in said county, and the board of revenue shall fix his compensation and prescribe his duties, and he shall be answerable to the board for the faithful performance of same.

9. The board of revenue shall have all the jurisdiction and powers conferred, or which may hereafter be conferred, upon courts of county commissioners, boards of revenue, and other like governing bodies of the counties in this State, by the general laws of the State.

10. For the purposes of this act, the road year shall be deemed to begin October 1st, and to end September 30th, of each year. No person under the age of twenty-one years on October 1st of any year shall be liable for road duty for that road year.

11. All persons liable for road duty are liable to work on the public roads of Madison county for a period not exceeding ten days in each road year, not counting the time spent in opening new roads, provided that a money compensation may be paid by any such person in lieu of road work, the amount of such compensation not to exceed ten dollars per annum for each such person. The board of revenue shall fix the number of days of work, and the amount of compensation, that may be paid in lieu thereof, within the limits prescribed by this act.

12. Whenever the board of revenue shall fix the amount of compensation to be paid in lieu of road work, any person liable to road duty in said county may procure exemption from working the roads for that road year by paying the sum so fixed by the board to the tax collector of Madison county on or before March 1st of the year in which he is liable to road duty, and it shall be the duty of the tax collector to receive such payment and to give a receipt for same, and the person holding same is required to exhibit such receipt to the person warning him for such service, in order to obtain exemption from road duty. The board of revenue shall each year on or before October 1st cause to be made out and delivered to the tax collector a list of all persons in each precinct who are subject to road duty. It shall be the duty of the tax collector of Madison county to furnish to the board of revenue by the 15th day of March of each year a properly verified list of all persons who have failed to obtain exemption from road work by payment of money. The tax collector shall be paid by the county the sum of twenty-five cents for each person making payment, in lieu of road work, as herein provided.

13. Any person who is warned to work the roads in Madison county may obtain the benefit of the aforesaid provisions for payment of compen-

sation in lieu of road work by paying such amount as may be specified by the board of revenue to the tax collector of Madison county on or before the 1st day of July of each year.

14. Every person liable to road duty in the county of Madison, and who does not procure exemption therefrom, as herein provided, is hereby required to work on any public road in the precinct of his residence to which he may be warned, and for each default he shall be guilty of a misdemeanor, and punishable as provided by law.

15. All laws, or parts of laws, in conflict herewith, and all local laws, or parts of local laws, providing for maintaining, repairing, constructing and working of the public roads, and upon the bridges, of Madison county, are hereby repealed.

State of Alabama, }
Madison County. }

Before me, O. B. Laxson, a notary public in and for said county, this day, personally appeared D. C. Barrow, who is known to me, and made oath: that he is publisher of the Huntsville Telegram and Mercury, a newspaper published in said county; that the foregoing notice of intention to introduce local law, was published once each week for four consecutive weeks, to-wit, on August 18th, 1919, August 25th, 1919, September 1st, 1919, and September 8th, 1919, as provided by law.

D. C. Barrow.

Sworn to and subscribed before me this Sept. 8th, 1919.

O. B. Laxson,
Notary Public.

And ordered same sent forthwith to the Senate without engrossment.

Fred H. Gormley,
Clerk.

HOUSE MESSAGE.

The House bill in the foregoing House message was read once and referred to appropriate standing committee as follows:

H. 1067, to the Committee on Judiciary.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has originated and passed the following bill:

H. 450. To amend section 3610 of the Code.

And sends same herewith to the House.

Fred H. Gormley,
Clerk.

HOUSE MESSAGE.

The House bill in the foregoing House message were read once and referred to appropriate standing committee as follows:

H. 450, to the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE.

The Speaker having signed the following House bills, your signature thereto is requested:

H. 381. To authorize the court of county commissioners of DeKalb county, Alabama, to levy a special tax of three-twentieths of one per cent on all taxable property in DeKalb county for the purpose of repairing and maintaining the public roads of said county.

Also:

H. 701. To amend section 1 of an act to designate certain public roads of the State of Alabama, as State trunk roads and to provide the manner in which such roads shall be located, improved and maintained, approved Sept. 10th, 1915.

Also:

H. 743. To vacate, close and annul as a public highway or street, that portion of 25th street, which lies between the northwest side of 7th alley and the southeast side of 8th avenue, in the city of Bessemer, Alabama.

Also:

H. 427. To appropriate the sum of four hundred, twenty-eight and 94/100 dollars, the relief of W. H. Jones, for overpayments of solicitor fees made by him to the State of Alabama as clerk of the circuit court of Covington county during the period from January 1, 1905, to January 1st, 1916.

Also:

H. 880. To provide for the construction, maintenance and control of the public roads and bridges of all counties in the State of Alabama having a population of not less than 27,155 and not more than 27,200 by the last or any subsequent Federal census, to further define the duties of the courts of county commissioners, or like governing bodies, of all such counties; to provide for the levy and collection of a vehicle license tax; to provide for the levy and collection of a per capita road tax in commutation of road duty; and to regulate the performance of road duty in such counties by the citizens thereof.

Also:

H. 579. To regulate and provide for the working, building, maintenance and upkeep of the public roads and bridges in Bibb county, Alabama, and prescribe manner and means of collecting and raising revenue and funds for the working, building, maintenance and upkeep of the public roads and bridges of and in Bibb county, Alabama; To regulate the public roads and bridge affairs of Bibb county, Alabama; to provide funds, regulations and penalties to carry the provisions and purposes of this act into effect, and the manner and means of raising or collecting such

funds, and to provide for the collection of a per capita road tax and for a license tax on all vehicles including vehicles propelled by animals, electricity, gasoline or other power whatsoever to be used for the maintenance, building, upkeep and repair of such roads and bridges and for the collection thereof.

Also:

H. 875. To authorize and empower the county of Marengo to issue its bonds, bearing interest at the rate of six per centum per annum, for the purpose of refunding its indebtedness, existing at the date of the approval of this act; to sell the same at not less than their face value; to regulate their issuance and sale, and to repeal all laws in conflict with this act, in so far as the said county is concerned.

Fred H. Gormley,
Clerk.

SIGNING OF BILLS.

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the secretary of the Senate, signed the following bills:

H. 381. To authorize the court of county commissioners of DeKalb county, Alabama, to levy a special tax of three-twentieths of one per cent on all taxable property in DeKalb county for the purpose of repairing and maintaining the public roads of said county.

H. 701. To amend section 1 of an act to designate certain public roads of the State of Alabama as State trunk roads and to provide the manner in which such roads shall be located, improved and maintained, approved September 10th, 1915.

H. 743. To vacate, close and annul as a public highway or street, that portion of 25th street, which lies between the north-west sides of 7th alley and the southeast side of 8th avenue in the city of Bessemer, Alabama.

H. 427. To appropriate the sum of four hundred, twenty-eight and 94/100 dollars, the relief of W. H. Jones, for overpayments of solicitor fees made by him to the State of Alabama as clerk of the circuit court of Covington county during the period from January 1, 1905, to January 1st, 1916.

H. 880. To provide for the construction, maintenance and control of the public roads and bridges of all counties in the State of Alabama having a population of not less than 27,155, and not more than 27,200, by the last or any subsequent Federal census; to further define the duties of the courts of county commissioners, or like governing bodies, of all such counties; to provide

for the levy and collection of a vehicle license tax; to provide for the levy and collection of a per capita road tax in commutation of road duty; and to regulate the performance of road duty in such counties by the citizens thereof.

H. 579. To regulate and provide for the working, building, maintenance and upkeep of the public roads and bridges in Bibb county, Alabama, and prescribe manner and means of collecting and raising revenue and funds for the working, building, maintenance and upkeep of the public roads and bridges of and in Bibb county, Alabama; to regulate the public road and bridge affairs of Bibb county, Alabama; to provide funds, regulations and penalties to carry the provisions and purposes of this act into effect, and the manner and means of raising or collecting such funds, and to provide for the collection of a per capita road tax and for a license tax on all vehicles including vehicles propelled by animals, electricity, gasoline or other power whatsoever to be used for the maintenance, building, upkeep and repair of such roads and bridges and for the collection thereof.

H. 875. To authorize and empower the county of Marengo to issue its bonds, bearing interest at the rate of six per centum per annum, for the purpose of refunding its indebtedness, existing at the date of the approval of this act; to sell the same at not less than their face value; to regulate their issuance and sale, and to repeal all laws in conflict with this act, in so far as the said county is concerned.

REPORT FROM COMMITTEE ON ENROLLED BILLS.

Mr. President:

Your Standing Committee on Enrolled Bills beg leave to report, that said committee, in session, have compared the following enrolled bills, with the engrossed and original bills, respectively, and find same correctly enrolled, to-wit:

S. 497. To provide for the election of county road engineers in counties having a population of not less than eighty thousand, nor more than eighty-two thousand, according to the Federal census of 1910, or any subsequent Federal census, and to fix their duties and compensation, and to make the county solicitor or his assistant the legal advisor for the county board of revenue and the county road engineer.

S. 390 To designate a certain public road of the State of Alabama as a State trunk road and to provide the manner in which such road shall be located, improved and maintained.

S. 214. To amend article 2, section 7417 of the Code of 1907.

S. 26. To provide for the employment of State convicts in mining coal on the coal lands of the University of Alabama.

S. 332. To amend an act entitled, "An act to regulate the employment of minor children within the State of Alabama; to prohibit the employment of minors under certain conditions; to provide for the inspection, and regulation of establishments, occupations, places and premises where minors are employed; to entrust the enforcement of the provisions of this act to the State prison inspector; to punish violations of this act," and approved February 24, 1915.

S. 368. To provide for the establishment, maintenance, repair and regulation of public highways; including bridges and ferries, in St. Clair county.

S. 359. To amend section one of an act entitled "An act to create a county highway commission for Walker county, Alabama, and to define the powers and duties thereof," approved February 15th, 1919.

S. 450. To authorize the employment in counties of more than eighty-two thousand and less than one hundred thousand according to the latest Federal census, or any subsequent Federal decennial census, of persons to investigate and report violations of law, to prescribe the mode of their employment, their term of office, their duties, and the amount and method of payment for their services.

S. 448. To create a county highway commission for Cherokee county, Alabama, to be known as the Cherokee county highway commission and to provide for the appointment thereof by the governor; to invest it with full, complete and unlimited jurisdiction over the public roads, bridges and ferries in Cherokee county; to prescribe and define its powers and duties as such highway commission, and to repeal all laws and parts of laws in conflict therewith; to abolish free labor on the public roads in Cherokee county and in lieu thereof, assess public road dues on those required to perform free labor on the public roads; to authorize the commission to take charge of all the public road tools and machinery belonging to the county, and to receive all the funds now provided by the county for the use of the public roads, bridges and ferries therein; and, in addition thereto, to levy and collect special privilege license taxes for the construction and maintenance of the public roads, bridges and ferries in the county; to authorize and empower the commission to exercise all the legislative, judicial and executive authority over the public roads, bridges and ferries conferred by law on the court of county commissioners; to fix penalties for the violations of any of the provisions of this act, and for the violation of any of the rules or legislative acts of the commission.

S. 280. To amend an act entitled "An act to provide and create a commission form of government and to authorize the adoption of the same in all cities and towns in the State of Alabama which now are not or hereafter may not be, within the influence or operation of any other valid legislative enactment authorizing or adopting such form of government; to regulate the selection and election of commissioners and their terms of office and retention in and recall from office; to provide for the selection of one commissioner as mayor, and the retention in office of certain officials; to fix the powers, duties and compensations of such commissioners; to punish improper conduct in connection with elections and petitions hereunder; to abolish boards of public work, police commissioners, councilmen, aldermen, and certain other city and town officials of such municipalities as adopt the said form of government; and generally to authorize and provide for the creation and maintenance of said commission form of government," approved April 8th, 1911, and as amended by an act approved September 28th, 1915, by amending the title thereof, and by amending said act so that it shall not apply to cities which have a population of exceeding fifty thousand five hundred and not more than one hundred thousand, according to the last Federal census, and which may hereafter have such population according to any Federal census hereafter taken, and to no others, by providing for the selection and election of a mayor and commissioners and fixing their terms of office and compensation, by abolishing certain offices, by fixing the powers, duties and liabilities of such mayor and commissioners, by creating certain new offices of such cities and providing for the selection of the incumbents thereof, and generally by prescribing a form of municipal government for such cities.

Chas. McDowell, Jr.,
Chairman.

SIGNING OF BILLS.

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the following bills:

S. 497. To provide for the election of county road engineers in counties having a population of not less than eighty thousand, nor more than eighty-two thousand, according to the Federal census of 1910, or any subsequent Federal census, and to fix their duties and compensation, and to make the county solicitor or his assistant the legal advisor of the county board of revenue and the county road engineer.

S. 390. To designate a certain public road of the State of Alabama as a State trunk road and to provide the manner in which such road shall be located, improved and maintained.

S. 214. To amend article 2, section 7417, of the Code of 1907.

S. 26. To provide for the employment of State convicts in mining coal on the coal lands of the University of Alabama.

S. 332. To amend an act entitled, "An act to regulate the employment of minor children within the State of Alabama; to prohibit the employment of minors under certain conditions; to provide for the inspection, and regulation of establishments, occupations, places and premises where minors are employed; to entrust the enforcement of the provisions of this act to the State prison inspector; to punish violations of this act," and approved February 24, 1915.

S. 368. To provide for the establishment, maintenance, repair and regulations of public highways; including bridges and ferries, in St. Clair county.

S. 359. To amend section one of an act entitled, "An act to create a county highway commission for Walker county, Alabama, and to define the powers and duties thereof," approved February 15th, 1919.

S. 450. To authorize the employment in counties of more than eighty-two thousand and less than one hundred thousand according to the latest Federal census, or any subsequent Federal decennial census, of persons to investigate and report violations of law, to prescribe the mode of their employment, their term of office, their duties, and the amount and method of payment for their services.

S. 448. To create a county highway commission for Cherokee county, Alabama, to be known as the Cherokee county highway commission, and to provide for the appointment thereof by the governor; to invest it with full, complete and unlimited jurisdiction over the public roads, bridges and ferries in Cherokee county; to prescribe and define its powers and duties as such highway commission, and to repeal all laws and parts of laws in conflict therewith. To abolish free labor on the public roads in Cherokee county, and in lieu thereof, assess public road dues on those required to perform free labor on the public roads. To authorize the commission to take charge of all the public road tools and machinery belonging to the county, and to receive all the funds now provided by the county for the use of the public roads, bridges and ferries therein and in addition thereto, to levy and collect special privilege license taxes for the construction and maintenance of the public roads, bridges and ferries in the county. To authorize and empower the commission to exercise all

the legislative, judicial and executive authority over the public roads, bridges and ferries conferred by law on the court of county commissioners. To fix penalties for the violations of any of the provisions of this act, and for the violations of any of the rules, or legislative acts of the commission.

S. 280. To amend an act entitled "An act to provide and create a commission form of government and to authorize the adoption of the same in all cities and towns in the State of Alabama which now are not or hereafter may not be, within the influence or operation of any other valid legislative enactment authorizing or adopting such form of government; to regulate the selection and election of commissioners and their terms of office and retention in and recall from office; to provide for the selection of one commissioner as mayor, and the retention in office of certain officials; to fix the powers, duties and compensations of such commissioners; to punish improper conduct in connection with elections and petitions hereunder; to abolish boards of public work, police commissioners, councilmen, aldermen, and certain other city and town officials of such municipalities as adopt the said form of government; and generally to authorize and provide for the creation and maintenance of said commission form of government," approved April 8th, 1911, and as amended by an act approved September 28th, 1915, by amending the title thereof, and by amending said act so that it shall apply to cities which have a population of exceeding fifty thousand five hundred and not more than one hundred thousand, according to the last Federal census, and which may hereafter have such population according to any Federal census hereafter taken, and to no others, by providing for the selection and election of a mayor and commissioners and fixing their terms of office and compensation, by abolishing certain offices, by fixing the powers, duties and liabilities of such mayor and commissioners, by creating certain new offices of such cities and providing for the selection of the incumbents thereof, and generally by prescribing a form of municipal government for such cities.

RECESS.

On motion of Mr. Prestwood, the Senate, at 1:30 P. M., took a recess until 3 o'clock this afternoon.

AFTERNOON SESSION—FORTY-SIXTH DAY.

Wednesday, September 17, 1919.

The Senate re-assembled at 3 o'clock P. H., Lieutenant Governor Miller, presiding.

ROLL CALL.

On a call of the roll, 34 members answered to their names, a quorum of the Senate, as required by the Constitution.

INTRODUCTION OF BILLS.

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Acker:

S. 762. To provide for the collection and distribution of licenses, privilege, income and franchise taxes which are required to be prorated among the State and any of the counties, cities and towns thereof.

Finance and Taxation.

Also:

S. 763. To provide an appropriation for the relief of needy Confederate soldiers, sailors and their widows.

Finance and Taxation.

By Mr. Beale:

S. 764. For the relief of Honor McNicholas, John Muldowney, Mary Muldowney Walsh, Martin J. Muldowney, Andrew George Muldowney and Nora Muldowney O'Hara.

Finance and Taxation.

(With notice and proof attached and herewith exhibited as follows:)

The State of Alabama, }
County of Hale. }

Before me, Thos. E. Knight, Jr., a notary public in and for said State and county, personally appeared Wm. E. W. Yerby, who after being duly sworn, deposes and says that he is advertising manager of the Greensboro Watchman, a newspaper published in the county of Hale, State of Alabama; that the attached clipping which is designated as Exhibit "A" and made a part hereof was published in said newspaper on May 15, 22, 29, and June 5, 1919.

(Signed) Wm. E. W. Yerby.

Sworn to and subscribed before me this the 3 day of July, 1919.

Thomas E. Knight, Jr.,
Notary Public Hale County, Alabama.

EXHIBIT "A."

Notice of introduction in the Legislature of Alabama of a special, private or local law.

Notice is hereby given that there will be introduced in the Legislature of Alabama at the recessed session beginning July 8, 1919, which session was recessed from the session of said Legislature which began January 14, 1919, a bill for the relief of Honor McNicholas, Martin Ruane, Mary Ruane Gallagher, Katherine Ruane Southerland, John Ruane, Mary Muldowney Walsh, John Muldowney, Martin J. Muldowney, Andrew George Muldowney, and Nora Muldowney O'Hara.

Said George Delaney, deceased, was a resident of Hale county, Alabama, and died intestate on the 29th day of August, 1913, and his estate was administered in said county and on December 9, 1916, the probate court of said county made an order and decree that said estate should escheat to the State of Alabama of Alabama and thereafter the sum of \$8,376.35, the property of said estate, was paid into the treasury of the State of Alabama under and pursuant to said decree.

The object of said bill to be filed in said Legislature is to recover for the heir heirs and next of kin of the said George Delaney, deceased, the money that escheated to the State of Alabama as aforesaid under said decree.

Washington Moody.

April 24th.

By Mr. Brown:

S. 765. To provide for the appointment by the auditor of a clerk to be known as pension clerk or deputy pension commissioner, and to fix his salary and manner of compensation.

Finance and Taxation.

By Mr. O. T. Smith (by request):

S. 766. To amend sections 10, 11, 12, 13 and 17 of an act entitled "An act to provide for and regulate the manufacture and sale of 'commercial feeding stuffs' in Alabama; to further provide for registration, tagging, sampling and analyzing 'commercial feeding stuffs' and to fix penalties for violations of this act," so as to regulate the sale of 'commercial feeding stuffs;' to define the same and to prohibit the adulteration thereof, to provide for their correct weight, sampling, analyses, and marketing; to authorize the commissioner of agriculture and industries to prescribe rules and regulations for carrying out the provisions of this act; to establish in the department of agriculture and industries, a division of foods, feeds and drugs, to be charged with the execution of this act; to authorize the commissioner of agriculture and industries to appoint an assistant as supervisor of said division, and to appoint other necessary clerical assistance; to provide for the payment of salaries and expenses out of the funds accruing hereunder; and to fix penalties for violation of this act," approved February 15th, 1919.

Agriculture.

Also (by request):

S. 767. To amend sections 1, 3, 4, 5 and 7 of an act entitled "An act to regulate the sale of food and drugs in the State of Alabama to provide for enforcement and inspectors and prescribe penalties for violation thereof," approved August 26, 1909.

Agriculture.

By Mr. Craft:

S. 768. To license all manufacturers and dealers in noncarbonated beverages, soft drinks and other nonintoxicating liquids, and to prescribe penalties for violation of this act.

Temperance.

By Mr. West:

S. 769. To amend section 6207 of the Code of Alabama.

Judiciary.

RESOLUTIONS.

Mr. Bedsole offered the following joint resolution:

S. J. R. 146. Whereas, during the first part of the present session of the Legislature of Alabama the Enrolling Clerk of the Senate was informed that she was entitled to five assistant clerks and employed that number, and

Whereas, it was afterwards discovered that under a later act, the Enrolling Clerk was entitled to only four assistants; and

Whereas, during the time that the Enrolling Clerk had five assistants, Miss Margaret Thompson was one of said assistants and worked twenty-six days for which she received no compensation, and for which work she has never been paid,

Therefore, be it resolved by the Senate, the House concurring, that the said Miss Margaret Thompson, be paid for her services as said assistant to the Enrolling Clerk the same per diem as received by the other assistants to the Enrolling Clerk of the Senate for the time she worked, to be paid on the certificate of the Secretary of the Senate.

Which was read and referred to the Standing Committee on Rules.

Mr. Carmichael offered the following resolution:

S. J. R. 147. Resolved by the Senate, the House concurring, that when the two houses adjourn today, it be till Friday morning at 9 o'clock.

Which was adopted, under a suspension of the rules, and ordered sent forthwith to the House without engrossment.

BILLS ON THIRD READING.

The bill:

S. 739. To amend section 692 of the Code of Alabama. (Making appropriation for the maintenance of the Geological Survey.)

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 23; Nays, 2.

Yeas:

Messrs:

Acker	Carmichael	Kelly	Rogers (Sumter)
Bedsole	Cowan	Leith	Sims
Briscoe	Craft	Miller	Smith (Coosa)
Butler	Espy	McDowell	Smith (Lawrence)
Caffey	Griffith	Nance	Tally
Carlton	Harper	Phillips	

—23

Nays:

Messrs:

Baker	Huddleston		
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—2

The bill:

S. 740. To amend an act to provide a stenographer for the supreme court reporter, to fix the salary of same and to make appropriations to pay such salary, approved April 24, 1911 (Acts 1911, p. 723).

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 20; Nays, 4.

Yeas:

Messrs:

Acker	Carmichael	Harper	Phillips
Briscoe	Cowan	Kelly	Rogers (Sumter)
Butler	Craft	Leith	Sims
Caffey	Espy	Miller	Tally
Carlton	Griffith	Moore	West

—20

Nays:

Messrs:

Baker	Huddleston	McDowell	Prestwood
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—4

The bill:

S. 741. To amend section 5982, Code 1907.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 23; Nays, 0.

Yeas:

Messrs:

Acker	Carmichael	Leith	Rogers (Sumter)
Baker	Cowan	Moore	Sims
Briscoe	Craft	McDowell	Smith (Coosa)
Butler	Espy	Nance	Tally
Caffey	Griffith	Phillips	West
Carlton	Kelly	Prestwood	

—23

Nays:—None.

The bill:

S. 742. To amend section 5993, Code 1907, as amended by an act approved November 23, 1907.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 20; Nays, 1.

Yeas:

Messrs:

Acker	Cowan	Miller	Sims
Bedsole	Craft	Morris	Smith (Coosa)
Butler	Espy	Nance	Smith (Lawrence)
Carlton	Gunter	Phillips	Tally
Carmichael	Kelly	Rogers (Sumter)	West

—20

Nays:

Mr. Leith—1.

The bill:

S. 743. To amend section 52 of the Code of Alabama of 1907.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 22; Nays, 1.

Yeas:

Messrs:

Acker	Cowan	Kelly	Phillips
Baker	Craft	Miller	Rogers (Sumter)
Bedsole	Espy	Morris	Sims
Butler	Evins	McDowell	Tally
Carlton	Griffith	Nance	West
Carmichael	Harper		

—22

Nays:

Mr. Huddleston—1.

The bill:

S. 499. To make an appropriation for the erection of a dormitory for the State normal school at Daphne, Alabama, and prescribing the conditions therefor.

Was taken up.

Mr. Carmichael offered the following substitute for said bill:

A BILL

To be entitled an act to make an appropriation for the purchase of grounds and buildings, for the erection of additional buildings, for the repair of buildings and improvement of grounds, and for the equipment of the State Normal School at Daphne, Alabama.

Be it enacted by the Legislature of Alabama:

1. That there is hereby appropriated out of any money in the State treasury not otherwise appropriated, the sum of thirty thousand dollars for the purchase of grounds and buildings, for the erection of additional buildings, for the repair of buildings and improvement of grounds, and for the equipment of the State Normal School at Daphne, Alabama, the said appropriation, however, only to be available when a like sum of thirty thousand dollars has been collected and placed in the hands of the treasurer of said State Normal School, thereby making the total sum of sixty thousand dollars available for the purposes indicated.

2. That the appropriation of thirty thousand dollars made under this act shall be paid by the State auditor upon requisition of the State superintendent of education, with the approval of the governor, accompanied by a sworn statement of the treasurer of said State Normal School that the sum required to be raised by said school is in his hands available for use.

3. That nothing in this act shall be construed to repeal, or to any way interfere with any other appropriations now or hereafter to be made in behalf of said State Normal School.

Which was adopted.

Yeas, 21; Nays, 7.

Yeas:

Messrs:

Acker	Carlton	Evins	Phillips
Beale	Carmichael	Harper	Sims
Bedsole	Cowan	Kelly	Smith (Coosa)
Briscoe	Craft	Miller	Tally
Butler	Espy	Nance	West
Caffey			

—21

Nays:

Messrs:

Baker	Huddleston	Moore	Prestwood
Griffith	Leith	Morris	

—7

And said bill, as thus amended, was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 19; Nays, 5.

Yeas:

Messrs:

Acker	Carlton	Harper	Smith (Coosa)
Bedsole	Carmichael	Kelly	Smith (Lawrence)
Briscoe	Cowan	Miller	Tally
Butler	Craft	Nance	West
Caffey	Espy	Rogers (Sumter)	

—19

Nays:

Messrs:

Baker	Huddleston	Leith	Prestwood	—5
Griffith				

The bill:

S. 744. To amend section 79 of the Code of Alabama of 1907.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 20; Nays, 1.

Yeas:

Messrs:

Acker	Cowan	Leith	Rogers (Lauderdale)
Bedsole	Craft	Miller	Rogers (Sumter)
Butler	Espy	Moore	Sims
Carlton	Griffith	Morris	Tally
Carmichael	Harper	Phillips	West

—20

Nays:

Mr. Baker—1.

The bill:

S. 745. To amend section 5992, Code 1907.

Was read a third at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 19; Nays, 1.

Yeas:

Messrs:

Acker	Griffith	Nance	Smith (Coosa)
Butler	Harper	Phillips	Smith (Lawrence)
Carlton	Leith	Rogers (Lauderdale)	Tally
Carmichael	Moore	Rogers (Sumter)	West
Craft	Morris	Sims	

—19

Nays:

Mr. Baker—1.

The bill:

S. 746. To amend an act to better secure the administration of the financial affairs of the State in respect to expenditures and appropriations; and for that purpose to establish a State budget commission, and prescribe rules and regulations governing the same, approved February 11, 1919, by adding thereto a provision for the payment by the State for the services of the members of the State budget commission.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 22; Nays, 5.

*Yeas:**Messrs:*

Acker	Carmichael	Huddleston	Rogers (Sumter)
Bedsole	Cowan	Miller	Sims
Briscoe	Craft	Nance	Smith (Coosa)
Butler	Espy	Phillips	Smith (Lawrence)
Caffey	Griffith	Rogers (Lauderdale)	Tally
Carlton	Harper		

—13

*Nays:**Messrs:*

Baker	Gunter	Leith	Morris
Evins			

—5

BILLS LAID ON THE TABLE.

On motion of Mr. Carmichael, the following Senate bills on today's calendar:

S. 655. To provide for the establishment of libraries in the rural town and village schools of Alabama, to make an appropriation therefor, to provide for their maintenance and for their improvement, to authorize the commissioners court or the board of revenue of the several counties to make an appropriation for the establishment and support of said libraries, and to provide rules and regulations under which said libraries shall be established and maintained.

Also:

S. 633. To make an appropriation for the maintenance and supervision of county high schools.

Also:

S. 634. To change the name of each of the nine branch district agricultural schools and experiment stations and to make appropriations for their maintenance and support.

Also:

S. 635. To change the name of the Northeast Alabama Agricultural and Industrial Institute at Lineville and to make an appropriation for its maintenance and support.

Also:

S. 636. To provide for the making of appropriations to the Alabama School of Trades and Industries at Ragland, Alabama.

Also:

S. 631. To amend section 8 of an act "To provide for the acceptance of the benefits of an act passed by the Senate and House of Representatives of the United States of America in Congress assembled to provide for the promotion of vocational education; to provide for the appointment of a State board of vocational education; and to provide for the duties thereof; and to make appropriations for vocational education," approved February 15th, 1919.

Also:

S. 642. To amend sections 1941 and 1942 of article 26 of the Code of Alabama of 1907.

Also:

S. 639. To make an appropriation to Tuskegee Normal and Industrial Institute.

Also:

S. 630. To amend section 1678 of the Code of Alabama of 1907.

Also:

S. 638. To make an appropriation for the State normal school for colored teachers located at Montgomery.

Also:

S. 644. To amend section 1946 of article 27 of the Code of Alabama of 1907.

Also:

S. 645. To amend section 1952 of article 28 of the Code of Alabama of 1907.

Also:

S. 649. To make an appropriation for the erection, repair and equipment of rural school houses.

Also:

S. 650. To provide for changing the name and for making an appropriation to the Huntsville State Normal and Industrial School.

Also:

S. 648. To make an appropriation for the benefit of those counties that may be levying and collecting a special county school tax during any fiscal year, and to provide for the expenditure of the funds set apart for any county by the county board of education.

Also:

S. 646. To make appropriations to the Alabama Boys' Industrial School.

Also:

S. 647. To amend an act entitled an act "To create and establish a reform school for the training of juvenile negro law breakers at Mount Meigs, Alabama; to make appropriations for the purpose, and accept by donation all such lands and buildings as are needful therefor; to create a board of trustees and to provide for the suitable management of said institution." Approved April 24th, 1911.

Also:

S. 637. To make appropriations to the State normal schools for white teachers located at Florence, Jacksonville, Livingston, Troy, Daphne and Moundville.

Also:

S. 643. To make appropriations to the Alabama Polytechnic Institute.

Also:

S. 632. To make an appropriation to the Alabama illiteracy commission or to the State board of education, if created, for the removal of illiteracy in Alabama.

Also:

S. 667. To provide for making appropriations to the University of Alabama.

Also:

S. 609. To provide for making appropriations to the Alabama Girls' Technical Institute.

Were laid on the table.

BILL TABLED.

On motion of Mr. Carmichael, the bill:

S. 747. To provide for the creation, equipment and maintenance of a poultry division as a part of the animal husbandry department of the Alabama Polytechnic Institute and Experiment Station, for the purpose of conducting experiments and demonstrations to determine the best breeds, methods of housing, feeding and marketing of poultry; for giving the students in agriculture adequate and necessary instructions in poultry husbandry; to make appropriations for these purposes and to prescribe the method of drawing and spending same.

Was laid on the table.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has concurred in and adopted the report of the Committee of Conference on the disagreement of the two houses on the House amendment to the bill:

S. 12. To provide pensions for all soldiers and sailors who were in the military or naval services of the State of Alabama and for those who served in the army or navy of the Confederate States of America with certain exceptions and who did not desert the same in the war between the states of the United States of America in the years 1861, 1862, 1863, 1864, 1865, and who are bona fide resident citizens of the State of Alabama and to regulate and to provide for the payment of such pensions by the State of Alabama.

Said conference report being as follows:

"We, the undersigned members of the Committee on Conference on S. 12 relating to pensions for Confederate soldiers, hereby recommend that the Senate concur in the House substitute of the bill as reported to the Senate from the House.

Watt T. Brown,
Charles McDowell,
Jno. T. Bealle,
On part of the Senate.
J. C. Wilson,
A. P. Smith,
J. P. Preston,
On part of the House.

And sends said conference report to the Senate.

Fred H. Gormley,
Clerk.

HOUSE MESSAGE.

On motion of Mr. Brown, the Senate concurred in and adopted the report of the Committee of Conference on the disagreement of the two houses on the House amendment to Senate bill No. 12, the title of which is set out in the foregoing message from the House, and said report of the Conference Committee being also set out in the foregoing House message.

Yeas, 34; Nays, 0.

Yeas:

Messrs:

Acker	Carmichael	Kelly	Prestwood
Baker	Cowan	Leith	Rogers (Lauderdale)
Beale	Craft	Miller	Rogers (Sumter)
Bedsole	Espy	Moore	Sims
Briscoe	Evins	Morris	Smith (Coosa)
Brown	Griffith	McDowell	Smith (Lawrence)
Butler	Gunter	Nance	Tally
Caffey	Harper	Phillips	West
Carlton	Huddleston		

—34

Nays:—None.

MESSAGE FROM THE GOVERNOR.

Sept. 17, 1919.

Gentlemen of the Senate:

I herewith return Senate bill No. 442 without my approval for correction of the title so as to make it correspond with certain provisions of the body of the proposed enactment, and if section 6 is amended as recommended herein below, namely:

1. Amend title of Senate bill No. 442 by striking out therefrom the words "deputy marshal and assistant" and substituting therefor the words "deputy marshals and assistants."

2. Amend section 6 of Senate bill No. 442 by striking therefrom the words "not needed for the maintenance and expenses of the department of State fire marshal shall be carried forward to the next fiscal year," and by substituting in place of the words so stricken out the words "shall be covered into the general fund of the State treasury."

Respectfully,
Thos. E. Kilby,
Governor.

GOVERNOR'S MESSAGE.

On motion of Mr. Briscoe, the Senate concurred in and adopted the amendment proposed by his excellency, the governor, to the bill:

S. 442. To create the office of State fire marshal, and to provide for the appointment of deputy marshal and assistant; to define their powers and duties and to fix their compensation; to provide ways and means for the enforcement of this act and penalties for violation thereof; and to provide means for defraying the expenses incurred under the provisions hereof.

Said amendment being set out in the foregoing message from the governor.

Yeas, 32; Nays, 0.

Yeas:

Messrs:

Acker	Carlton	Huddleston	Prestwood
Baker	Carmichael	Kelly	Rogers (Lauderdale)
Beale	Cowan	Leith	Rogers (Sumter)
Bedsole	Craft	Miller	Sims
Briscoe	Espy	Morris	Smith (Coosa)
Brown	Griffith	McDowell	Smith (Lawrence)
Butler	Gunter	Nance	Tally
Caffey	Harper	Phillips	West

—32

Nays:—None.

Which was a majority of the whole number elected to the Senate.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has originated and passed the following House bills:

H. 820. For the relief of R. H. Hudson of Robinson Springs, Alabama, and to appropriate and pay to him the sum of \$110.65.

(With notice and proof attached hereto and exhibited as follows):

NOTICE.

Notice is hereby given that a bill will be introduced in the Legislature of Alabama at its present session which will reconvene in July, 1919, to appropriate \$110.65 and order the same paid to me for services rendered to the State of Alabama as a preacher at the convict camp at Speigners, Ala., and traveling expenses.

R. H. Hudson.

The State of Alabama, }
Elmore County. }

I, Frances Golson, editor of the Weekly Herald, a newspaper published in Wetumpka, county and State aforesaid, do hereby certify that the hereunto attached notice was published in said Weekly Herald for four (4) consecutive weeks, May 29, June 5, 12 and 19, 1919.

Frances Golson.

Sworn to and subscribed before me this the 1st day of August, 1919.

L. C. Smith,
Judge of Probate.

And sends same herewith to the Senate.

Fred H. Gormley,
Clerk.

HOUSE MESSAGE.

The House bill in the foregoing House message was read once and referred to appropriate standing committee as follows:

H. 820. To the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE.

Mr. President:

The House concurred in and adopted S. J. R. 147, relative to adjournment until Friday morning at 9 o'clock.

And returns same herewith to the Senate.

Fred H. Gormley,
Clerk.

BILLS ON THIRD READING RESUMED.

The bill:

S. 748. To make appropriations for the ordinary expenses for the executive, legislative and judicial departments of the State for the interest on the public debt and for the public schools.

Was taken up.

Mr. Acker offered the following amendment to said bill, to-wit:

Amend Secs. 59 and 60 of executive department by striking out of said sections "three thousand dollars (\$3,000)" and inserting in lieu thereof "four thousand dollars (\$4,000)."

Amend Sec. 1 of judiciary department by striking out "five thousand dollars (\$5,000) and inserting in lieu thereof "sixty-five hundred dollars (\$6,500)."

Amend Sec. 2 of judiciary department by striking out "five thousand dollars (\$5,000)" and inserting in lieu thereof "six thousand dollars (\$6,000)."

Amend section 15 of judiciary department by inserting in the blank in said section the word "thirty-seven" and by inserting the words "six hundred" after the words "three thousand."

Amend section 16 of judiciary department by inserting in the blank in said section the word "twenty-one."

Which was adopted.

Yeas, 30; Nays, 1.

Yeas:

Messrs:

Acker	Carmichael	Kelly	Rogers (Lauderdale)
Beale	Cowan	Leith	Rogers (Sumter)
Bedsole	Espy	Miller	Sims
Briscoe	Evins	Moore	Smith (Coosa)
Brown	Griffith	McDowell	Smith (Lawrence)
Butler	Gunter	Nance	Tally
Caffey	Harper	Phillips	West
Carlton	Huddleston		

—30

Nays:

Mr. Baker—1.

And said bill, as thus amended, was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 28; Nays, 0.

Yeas:

Messrs:

Acker	Carlton	Harper	Rogers (Lauderdale)
Beale	Carmichael	Huddleston	Rogers (Sumter)
Bedsole	Cowan	Kelly	Sims
Briscoe	Craft	Miller	Smith (Coosa)
Brown	Espy	McDowell	Smith (Lawrence)
Butler	Griffith	Nance	Tally
Caffey	Gunter	Phillips	West

—28

Nays:—None.

The bill:

S. 749. To provide for the purchase or condemnation of a site and the erection of a building thereon for a pasteur institute and laboratory and the purchase of necessary or proper equipment therefor and to make appropriation for such purposes.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 25; Nays, 5.

Yeas:

Messrs:

Acker	Carmichael	Huddleston	Phillips
Bedsole	Cowan	Kelly	Rogers (Lauderdale)
Briscoe	Espy	Miller	Rogers (Sumter)
Brown	Griffith	Morris	Sims
Butler	Gunter	McDowell	Smith (Lawrence)
Caffey	Harper	Nance	West
Carlton			

—25

Nays:

Messrs:

Craft	Prestwood	Smith (Coosa)	Tally
Leith			

—5

The bill:

S. 750. To fix the compensation of the several State executive officers, officers of departments and boards, subordinate officers, clerks, watchmen and capitol servants.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 30; Nays, 0.

Yeas:

Messrs:

Acker	Carlton	Huddleston	Rogers (Lauderdale)
Baker	Carmichael	Kelly	Rogers (Sumter)
Beale	Cowan	Miller	Sims
Bedsole	Craft	Moore	Smith (Coosa)
Briscoe	Espy	McDowell	Smith (Lawrence)
Brown	Griffith	Nance	Tally
Butler	Gunter	Phillips	West
Caffey	Harper		

—30

Nays:—None.

The bill:

S. 692. To fix the salary of all judges of probate in all counties in this State which now have, or which may hereafter have a population of as much as eighty-two thousand people and less than two hundred thousand people according to the last Federal census or any such census which may hereafter be taken, who are now or may hereafter be paid on a salary basis, and also for clerical help and other expenses and to provide for payment thereof.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 30; Nays, 0.

Yeas:

Messrs:

Acker	Carlton	Huddleston	Nance
Baker	Carmichael	Kelly	Phillips
Beale	Cowan	Leith	Prestwood
Bedsole	Craft	Miller	Rogers (Sumter)
Briscoe	Espy	Moore	Smith (Coosa)
Brown	Griffith	Morris	Tally
Butler	Gunter	McDowell	West
Caffey	Harper		

—30

Nays:—None.

The bill:

S. 684. To amend section 3 of "An act to impose a license or privilege tax of one dollar a year on each dog in the State of Alabama, over four months of age, and to provide for the collection of such tax and to provide that all livestock killed by any dog and all damages done thereto shall be paid for out of the dog tax fund, and to provide for the distribution of the surplus left in the dog tax fund on the first day of March of each year," approved September 18th, 1915.

Was taken up.

Mr. Carmichael offered the following amendment to said bill:

Amend the caption of said bill by adding thereto the following:

"And by inserting section 3½ to provide compensation to the tax assessor and tax collector for assessing and collecting said tax."

Amend said bill by adding thereto the following:

Section 2. That said act be amended by inserting therein a section to be designated section 3½ as follows:

3½. The county tax assessor and collector shall each receive for his services in assessing and collecting said tax the sum of ten cents to be paid as commissions are paid said officers.

Which was adopted.

Yeas, 26; Nays, 1.

Yeas:

Messrs:

Acker	Carlton	Huddleston	Rogers (Lauderdale)
Baker	Carmichael	Miller	Sims
Beale	Craft	Morris	Smith (Coosa)
Bedsole	Espy	McDowell	Smith (Lawrence)
Brown	Griffith	Nance	Tally
Butler	Gunter	Prestwood	West
Caffey	Harper		

—26

Nays:

Mr. Briscoe—1.

And said bill, as thus amended, was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 25; Nays, 3.

Yeas:

Messrs:

Acker	Carlton	Gunter	Nance
Baker	Carmichael	Harper	Prestwood
Bedsale	Cowan	Huddleston	Rogers (Lauderdale)
Briscoe	Craft	Miller	Sims
Brown	Espy	Morris	Tally
Butler	Griffith	McDowell	West
Caffey			

—25

Nays:

Messrs:

Beale	Leith	Smith (Coosa)
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—3

The bill:

S. 562. To better secure compliance with the laws of Alabama, requiring instruction of all pupils in public schools, and in all schools and colleges supported in whole or in part by public money, or under State control, with reference to the effect of alcoholic drinks, stimulants and narcotics upon the human system.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 19; Nays, 0.

Yeas:

Messrs:

Acker	Carmichael	Miller	Sims
Beale	Cowan	Morris	Smith (Coosa)
Bedsale	Griffith	Nance	Smith (Lawrence)
Briscoe	Harper	Phillips	West
Butler	Kelly	Rogers (Sumter)	

—19

Nays:—None.

REPORT OF CONFERENCE COMMITTEE ON S. 279.

We, the Conference Committee, appointed to confer on Senate bill 279, passed by the Senate as enrolled and amended by the House as shown by the amendment, hereby agree that the House amendment be stricken out and the bill as passed in the Senate be amended as follows:

1. Amend caption of bill by inserting after the word "census" and before the word "and" the words "or any future Federal census."

2. Amend section 1 of the bill by inserting after the word "census" and before the word "shall," the words "or any future Federal census."

Thos. E. Orr,
W. L. Sherrod,
W. H. Shaw,
On behalf of the House.
B. A. Rogers,
C. S. McDowell, Jr.,
Jas. B. Ellis,
On behalf of the Senate.

CONFERENCE REPORT.

On motion of Mr. Rogers of Lauderdale, the Senate concurred in and adopted the report of the Committee of Conference on the disagreement of the two Houses on the House amendment to the bill:

S. 279. To fix the compensation of members of the courts of county commissioners and boards of revenue in all counties having a population of not less than 30,900 and not more than 30,975 according to the last or any subsequent Federal census, and to provide for the payment of the same.

Yeas, 27; Nays, 0.

Yeas:

Messrs:

Acker	Caffey	Huddleston	Rogers (Sumter)
Baker	Carlton	Leith	Sims
Beale	Carmichael	Morris	Smith (Coosa)
Bedsole	Cowan	McDowell	Smith (Lawrence)
Briscoe	Craft	Nance	Tally
Brown	Griffith	Prestwood	West
Butler	Harper	Rogers (Lauderdale)	

—27

Nays:—None.

REPORT FROM COMMITTEE ON ENROLLED BILLS.

Mr. President:

Your Standing Committee on Enrolled Bills beg leave to report that said committee, in session, have compared the following enrolled bill with the engrossed and original bill, respectively, and find same correctly enrolled, to-wit:

S. 134. To provide for the organization or admission and the regulation and taxation of incorporated mutual insurance companies, other than life.

Chas. McDowell, Jr.,
Chairman.

SIGNING OF BILL.

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the following bill:

S. 134. To provide for the organization or admission and the regulation and taxation of incorporated mutual insurance companies, other than life.

MESSAGE FROM THE HOUSE.

Mr. President:

The Speaker having signed the following House bills, your signature thereto is requested:

H. 167. To amend section 25 of an act entitled an act to prescribe the qualifications of jurors and regulate the selection, drawing and summoning of jurors, and prescribe the qualifications and provide for the appointment of jury commissioners and clerks of such commissions and regulate the empanelling of grand and petit juries in all the courts of this State, approved August 31st, 1909.

Also:

H. 667. To provide for establishing and holding circuit court at Haleyville, Winston county, Alabama; to fix the jurisdiction thereof, to regulate proceedings therein; to provide officers and juries, both grand and petit, for holding said court and for the transaction of the business thereof, and to regulate their duties; to provide for a register and deputy register, or clerk, for the equity side of said court and to prescribe and regulate their duties.

Also:

H. 712. To provide for the consolidation of adjacent or contiguous cities having each a population between four thousand and six thousand five hundred, according to the last preceding official and published Federal census, and to provide for the organization and officers of such consolidated city.

Also:

H. 780. To provide for and regulate equalities of right and the order of payment of claims legally chargeable against and payable out of the fine and forfeiture fund of Dale county at present in and hereafter accruing or coming into said fund.

Also:

H. 848. To detach the counties of Greene, Pickens and Sumter from the sixth judicial circuit, and attach said counties to the

Marengo circuit; and fix the time for holding said court in said counties, and to designate said circuit the 18th judicial circuit.

Fred H. Gormley,
Clerk.

SIGNING OF BILLS.

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the following bills:

H. 167. To amend section 25 of an act entitled an act to prescribe the qualifications of jurors and regulate the selection, drawing and summoning of jurors, and prescribe the qualifications and provide for the appointment of jury commissioners and clerks of such commissions and regulate the empanelling of grand and petit juries in all the courts of this State, approved August 31st, 1909.

H. 667. To provide for establishing and holding circuit court at Haleyville, Winston county, Alabama; to fix the jurisdiction thereof, to regulate proceedings therein; to provide officers and juries, both grand and petit, for holding said court and for the transaction of the business thereof, and to regulate their duties; to provide for a register and deputy register, or clerk, for the equity side of said court and to prescribe and regulate their duties.

H. 712. To provide for the consolidation of adjacent or contiguous cities having each a population between four thousand and six thousand five hundred, according to the last preceding official and published Federal census, and to provide for the organization and officers of such consolidated city.

H. 780. To provide for and regulate equalities of right and the order of payment of claims legally chargeable against and payable out of the fine and forfeiture fund of Dale county at present in and hereafter accruing or coming into said fund.

H. 848. To detach the counties of Greene, Pickens and Sumter from the sixth judicial circuit, and attach said counties to the Marengo circuit; and fix the time for holding said court in said counties, and to designate said circuit the 18th judicial circuit.

CONSIDERATION OF SPECIAL ORDER.

The Senate proceeded to consider the second special order on today's calendar, which was:

H. 407. To provide for working convicts on the State trunk highways of the State of Alabama, under the supervision of the State highway department in co-operation with the State convict department; to authorize the removal of all able-bodied convicts from under the lease system and place them on the trunk highways of the State; to make it unlawful to lease convicts to any person or corporation after the first day of January, 1923; to authorize and empower the State highway commission to purchase from the convict department or paid said convict department for the use or hire of said convicts at the current price for labor, to be determined by the governor; to authorize and require the convict department to make the necessary preparations for housing, caring for, guarding and incarcerating said convicts, by establishing permanent convict road camps in certain parts of the State of Alabama, and to provide such temporary or portable camps and equipment as may be necessary to successfully care for and maintain said convicts as may be worked on the public highways of this State.

Mr. Leith offered the following amendment to said bill:

Amend House bill No. 407 by adding section 13½ as follows:

Section 13½. Nothing herein contained shall prevent the governor from making an experiment with State convicts in a mine on lands of the University of Alabama and working convicts in said mine provided the same proves practical and profitable as provided by Senate bill No. 26.

Provided however, that all of class one and class two convicts as defined in section six of this act not used in said mining experiment shall be worked on State trunk highways as provided in this act.

Which was lost.

Yeas, 13; Nays, 15.

Yeas:

Messrs:

Baker	Huddleston	Moore	Prestwood
Beale	Kelly	Morris	Rogers (Lauderdale)
Brown	Leith	Nance	West
Harper			

—13

Nays:

Messrs:

Acker	Caffey	Espy	Smith (Coosa)
Bedsale	Carlton	Miller	Smith (Lawrence)
Briscoe	Carmichael	McDowell	Tally
Butler	Cowan	Rogers (Sumter)	

—15

Pending the further consideration of said bill,

ADJOURNMENT.

On motion of Mr. Rogers of Sumter, the Senate, at 6:30 P. M., adjourned until 8:30 A. M. Friday morning, September 19th, 1919.

FORTY-SEVENTH DAY.

Friday, September 19, 1919.

The Senate met pursuant to adjournment, Lieutenant Governor Miller, presiding.

PRAYER.

By Rev. Dr. Adams of the House of Representatives.

ROLL CALL.

Present:

Mr. President and

Messrs:

Acker	Carmichael	Kelly	Prestwood
Baker	Cowan	Leith	Rogers (Lauderdale)
Beale	Craft	Miller	Rogers (Sumter)
Bedsole	Espy	Moore	Sims
Briscoe	Evins	Morris	Smith (Coosa)
Brown	Griffith	McDowell	Smith (Lawrence)
Butler	Gunter	Nance	Tally
Caffey	Harper	Phillips	West
Carlton	Huddleston		

—34

JOURNAL.

On motion of Mr. Gunter, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORTS OF COMMITTEES.

Mr. Acker, chairman of the Standing Committee on Judiciary, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. West:

S. 769. To amend section 6207 of the Code of Alabama.

By Mr. Woodward:

H. 1067. To establish a board of revenue for Madison county, and to abolish the court of county commissioners thereof, and to provide for the better working of the public roads of said county.

By Mr. Acker:

S. 384. To confer additional powers, authority and jurisdiction on and to further prescribe the duties of the board of control and economy created by the act of the Legislature approved February 13, 1919; to abolish the board of convict inspectors and the offices of the members and employees thereof and to confer upon the State board of control and economy all the power, authority and jurisdiction heretofore exercised by or under the authority of the State board of convict inspectors, and to impose upon the board of control and economy all the duties heretofore required of the State board of convict inspectors; to confer upon the board of control and economy general supervision and authority over the office of the State prison inspector who shall henceforth discharge the duties of his office in connection with and as a part of the work of the State board of control and economy; to confer upon the board of control and economy certain duties and authority with reference to the public printing and binding, and other powers and authority incident to the more efficient control and co-ordination of the business operations of this State.

By Mr. Lynne:

H. 561. To authorize the attorney general to direct the solicitor of certain circuits to perform the duties of solicitor of the nineteenth judicial circuit.

By Mr. Lynne:

H. 560. To further prescribe the duties of the supernumerary judge of Alabama.

Mr. Butler, chairman of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Jones of Montgomery:

H. 1125. To amend subdivision 84 of section 361 of an act to provide for the general revenue of the State of Alabama, approved Sept. 15th, 1919.

By Mr. Bealle:

S. 764. For the relief of Honor McNicholas, John Muldowney, Mary Muldowney Walsh, Martin J. Muldowney, Andrew George Muldowney and Nora Muldowney O'Hara.

By Mr. Acker:

S. 763. To provide an appropriation for the relief of needy Confederate soldiers, sailors and their widows.

By Mr. Acker:

S. 762. To provide for the collection and distribution of license, privilege, income and franchise taxes which are required

to be prorated among the State and any of the counties, cities and towns thereof.

By Mr. Brown:

S. 765. To provide for the appointment by the auditor of a clerk to be known as pension clerk or deputy pension commissioner, and to fix his salary and manner of compensation.

By Mr. Ellis:

H. 820. For the relief of R. H. Hudson of Robinson Springs, Alabama, and to appropriate and pay to him the sum of \$110.65.

By Mr. Pittman:

H. 521. For the relief of H. S. Brown of Randolph county, Alabama, to refund certain moneys erroneously or illegally collected from him as money due the State of Alabama on lands.

By Mr. Benners:

H. 450. To amend section 3610 of the Code.

By Mr. Oliver (with substitute):

H. 767. To establish and create the Alabama horticultural society for the promotion and development of fruit growing within the State of Alabama and to define its powers and duties.

Mr. Carmichael, chairman of the Standing Committee on Education, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Brown:

S. J. R. 144. Relative the hazing in the institutions of learning.

By Mr. Adams (with amendment):

H. 726. To create and establish the Alabama patriotic society, to define its scope and purposes, to provide for the appointment by the governor of its officers, to prescribe the manner in which their successors shall be chosen, and to define their functions.

Mr. Espy, chairman of the Standing Committee on Agriculture, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Clayton:

H. 725. To prevent the tethering, tying out or staking out of any cow, calf, horse, mule, hog, goat, sheep or other live stock or animal upon any public road in this State or along the side of or so near to any public road that such animal so tethered, tide out or staked out may go upon the public road.

By Mr. Smith of Coosa:

S. 766. To amend sections 10, 11, 12, 13, and 17 of an act entitled " 'An act to provide for and regulate the manufacture and sale of 'commercial feeding stuffs' in Alabama; to further provide for registration, tagging, sampling and analyzing 'commercial feeding stuffs and to fix penalties for violations of this act,' so as to regulate the sale of 'commercial feeding stuffs;' to define the same and to prohibit the adulteration thereof, to provide for their correct weight, sampling, analyses, and marketing; to authorize the commissioner of agriculture and industries to prescribe rules and regulations for carrying out the provisions of this act, here to establish in the department of agriculture and industries, a division of foods, feeds and drugs, to be charged with the execution of this act; to authorize the commissioner of agriculture and industries to appoint an assistant as supervisor of said division, and to appoint other necessary clerical assistance; to provide for the payment of salaries and expenses out of the funds accruing hereunder; and to fix penalties for violation of this act," approved February 15th, 1919.

By Mr. Cobbs:

H. 766. To regulate the manufacture, sale, offering for sale, and other disposition of insecticides and fungicides in the State of Alabama and to provide means and penalties therefor and to provide disposition of funds arising therefrom.

By Mr. Smith of Coosa (by request):

S. 767. To amend sections 1, 3, 4, 5, and 7 of an act entitled "An act to regulate the sale of food and drugs in the State of Alabama to provide for the enforcement and inspectors and prescribe penalties for violation thereof," approved August 26, 1909.

Mr. Brown, chairman of the Standing Committee on Municipalities and Municipal Organizations, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Dickson:

H. 442. To change the name of the "Mercy Home Industrial School for Girls," located at Birmingham, Alabama, to the Alabama Vocational School for Girls, and to provide appropriations for the support, maintenance and improvement of the same.

Mr. Bedsole, chairman of the Standing Committee on Temperance, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate without recommendation, and it was read a second time and placed on the calendar, to-wit:

By Mr. Craft:

S. 768. To license all manufacturers and dealers in noncarbonated beverages, soft drinks and other non-intoxicating liquids, and to prescribe penalties for violation of this act.

Mr. Butler, chairman of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate without recommendation, and it was read a second time and placed on the calendar, to-wit:

By Mr. Pittman:

H. 760. To make an appropriation of two hundred and eighty-two dollars for the relief of George W. Morris, a Confederate soldier of Randolph county.

Mr. Carmichael, chairman of the Standing Committee on Education, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with an adverse report and they were severally read a second time and placed on the adverse calendar, to-wit:

By Mr. Prestwood:

S. 673. To provide for the election of county superintendent of education for Conecuh county at the general election in 1920, and every four years thereafter by the qualified electors of said Conecuh county.

By Mr. Morris:

S. 253. To amend section 5 of an act approved September 15, 1915, (Relates to attendance districts and attendance officers under the compulsory education law.)

MESSAGE FROM THE HOUSE.

Mr. President:

The House has concurred in and adopted the Senate amendments to the bill:

H. 664. To provide for the printing and publication of the reports of the supreme court and the court of appeals of Alabama and for the distribution of sale of same.

Fred H. Gormley,
Clerk.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has concurred in and adopted the amendment proposed by his excellency, the governor, to the bill:

S. 442. To create the office of State fire marshal and to provide for the appointment of deputy marshal and assistant; to

define their powers and duties and to fix their compensation; provide ways and means for the enforcement of this act and penalties for violation thereof, and to provide means for defraying the expenses incurred under the provisions hereof.

by a vote of Yeas, 68; Nays, 0; which was a majority of the whole number elected to the House of Representatives.

And returns same herewith to the Senate.

Fred H. Gormley,
Clerk.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has passed the following Senate bills:

S. 383. To provide for the election of a county solicitor for Monroe county, to define his duties and fix his compensation.

S. 509. For the relief of Rev. J. M. Johnson.

S. 461. To designate a certain public road of Alabama as a State trunk road, and to provide the means by which such State trunk road shall be improved and maintained.

S. 479. To regulate and fix the compensation of witnesses before the grand jury and in all cases in the county court and circuit court of Clarke county.

S. 351. To require the court of county commissioners or body of similar jurisdiction of Pike county, Alabama, to allow to the clerk of the circuit court of said county, three dollars per day during term times, as a preferred claim against the general fund of said county, for the purpose of paying an assistant employed by him to assist him in the performance of his duties as such clerk during the term times of circuit courts held in said county.

S. 375. To provide for acquirement, construction, ownership, lease, maintenance, use, control, and operation by counties of Alabama which have or which shall have taxable property in such counties of one hundred millions of dollars annually, or more, according to the assessments by such counties for the year of 1918 A. D., or according to the annual assessments to be hereafter made, of highways, of railroads, by any kind of motive power; freight stations; passenger stations; wharves; piers; docks; ware houses; grain elevators; storage tanks; team trucks; and all other facilities and structures appurtenant thereto, by the issue of bonds, not exceeding one per cent, in addition to the limit of the county indebtedness of such taxable property in such counties the holding of elections to decide whether such counties shall issue such bonds; to authorize the county internal improvement commission, a county agency, to sell said bonds and to account to the board of revenue therefor of the county; to levy and collect a special tax not exceeding twenty cents on each one hundred dol-

lars of taxable property, to be in addition to the maximum rate prescribed; exemption from State, county and municipal taxation of such bonds; to become effective upon ratification of an amendment to the Constitution of Alabama; and same power to new counties formed from such counties.

S. 589. To establish inferior courts in lieu of all justices of the peace and notaries public with power of justices of the peace in precincts lying within or partly within the county seats of all counties in the State of Alabama having a population of not less than twenty-six thousand eight hundred and not exceeding twenty-six thousand nine hundred according to the Federal census of 1910; provided said county seats have a population of fifteen hundred or more according to Federal census of 1910, or any subsequent Federal census; to define jurisdiction and powers of said courts and judges and officers thereof and to provide for a place of holding said courts, terms and salaries of the judges and officers of said courts, and the manner of their appointment or election and the payment of their salaries.

S. 364. To define lawful fences in all counties the population of which by the last Federal census was not less than 80,000 nor more than 82,000.

S. 536. To provide for the compensation of deputy solicitors in all counties of the State, having a population of more than 27,100 and less than 27,200, according to the last Federal census or any subsequent Federal census, and to provide the manner in which the same shall be paid.

S. 543. To authorize and empower boards of revenue in counties having a population of not less than 82,000 and not more than 100,000 according to the latest Federal census, to expend county funds not exceeding \$2,500 per annum for county purposes not otherwise provided for by law.

S. 230. To fix the amount of ex-officio fees of sheriffs in all counties having a population of more than 37,900 and less than 38,000 according to the 1910 Federal census or any subsequent census, where the assessed value of real and personal property in such counties exceeds ten million dollars and to provide for the payment of the same.

S. 232. To fix the amount of ex-officio fees of clerks of the circuit court in all counties having a population of more than 37,900 and less than 38,000 according to the 1910 Federal census where the assessed value of real and personal property in such counties exceeds the sum of ten million dollars and to provide for the payment of the same.

S. 376 To authorize and empower all counties of Alabama which have or shall have taxable property in such counties of one

hundred million dollars annually, or more, according to any annual assessment to be made thereafter, to acquire, construct, purchase, own, lease, maintain, use, control and operate highways, railroads, and terminals and all facilities and structures appurtenant thereto; for the performance of the obligation of warehouseman and common carrier in aid of commerce; to establish reasonable charges for such service; within its own territory or across, on or through adjacent counties, to establish a commission as a county agency for the performance of this authority and power; to purchase and condemn private property for the above purpose; to dispose of net profits from the operation of the facilities herein described; that private capital shall not be prevented from engaging in the same enterprise; that the power and authority herein described shall become effective immediately upon the ratification of an amendment to the Constitution of Alabama.

S. 377. To authorize cities and towns of over five thousand population according to the last Federal census or which shall have such population according to any Federal census taken thereafter, and situated in counties which have or which shall have annually taxable property in such counties of one hundred millions of dollars or more according to the assessments by such counties for the year A. D. 1918, or according to any annual assessment hereafter made, to acquire, construct, purchase, maintain, own, lease, use, control and operate railroads, by any kind of motive power and terminal facilities and other structures appurtenant thereto, in aid of commerce and the transportation of passengers within, across, in or through the territory of such counties in which such cities and towns are situated or adjacent counties, and to issue bonds, grant money and property to carry into execution these powers.

And returns same to the Senate.

Fred H. Gormley,
Clerk.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has originated and passed the following bills:

H. 8. To regulate the sale of standing timber, fix time limit for cutting and removing same, providing a right-of-way for cutting and removing timber and providing for the reversion of the title after the time limit expires.

H. 256. To authorize and empower counties, cities and towns to appropriate moneys out of their general funds for the maintenance and support of municipal bands and other musical organizations for public entertainment.

H. 324. To provide a fund for support of a law library for the circuit court in counties of two hundred thousand or more inhabitants, without appropriations from the State or county treasury.

H. 441. To amend section 3453 of the Code of Alabama of 1907.

H. 549. To provide for the relief of E. C. Childs, tax collector, Geneva county, Alabama, during the year 1910, in the matter of refunding \$448.50, on account of an unused poll tax receipt book being charged to him in the final settlement for the year 1910 by the State auditor, and to make an appropriation for the refund of this \$448.50 to E. C. Childs.

H. 578. To authorize the court of county commissioners, board of revenue, or other governing body of any county in this State which has outstanding an indebtedness evidenced by warrants which have been regularly issued and registered, to settle, adjust and refund the same, and for that purpose to issue new warrants of said county.

H. 596. To provide a means whereby the county board of education may be required to arrange for the opening of the county high school on written petition signed by a majority of the patrons of the county high school living outside of the incorporated town as shown by the records in the office of the county high school for the next preceding year.

H. 642. To amend an act entitled an act "To provide for the hiring, management, control and inspection of county convicts, approved November 30, 1907.

H. 228. To authorize courts of county commissioners or boards of revenue of any county, in which the State or Federal authorities shall take or have taken up the work of farm demonstration of the organization of farm life clubs, to appropriate funds for aiding in such work.

H. 969. To amend an act entitled "An act to provide for the establishment, discontinuance, construction, use, working and maintenance of the public roads, bridges, and ferries of the several counties of this State; to define the duties and powers of the boards of revenue, courts of county commissioners, or other governing bodies of each of the several counties with regard to same; and to fix penalties for the violation of the rules, regulations and laws of the boards of revenue, courts of county commissioners or other like governing bodies of the several counties, approved September 22, 1915.

H. 1033. To require the superintendent, manager, intern, or other person in control or in charge of hospitals, and physicians, treating injured persons, to report, to the chief of police and sheriff, any and all injured persons coming into such hospital, in

counties having a population of two hundred thousand or more, according to the last Federal census or any future Federal census and to fix penalties for the violation thereof.

H. 1046. To amend section 1 of an act entitled "An act to provide for the election of a solicitor for each judicial circuit in the State; to fix his compensation; authorize the appointment or election of deputy solicitors and assistant solicitors, prescribe their duties and authority, and fix their compensation," approved September 25, 1915.

H. 1049. To provide for the construction of a fireproof building for the safe keeping of all county records in all counties of the State having more than 150,000 population according to the last or any succeeding Federal census and to provide for the keeping of records therein.

H. 1056. To fix the salary of all judges of probate in all counties in this State which now have, or which may hereafter have a population of as much as eighty-two thousand people and less than two hundred thousand people according to the last Federal census or any such census which may hereafter be taken, who are now or may hereafter be paid on a salary basis, and also for clerical help and other expenses and to provide for payment thereof.

H. 1059. To designate the public road from Chancellors Ferry and running in a northerly direction to Creswell Church, and on by way of Vincent, Sterrett, Vandiver, Dunnivant, intersecting the main highway of Jefferson county, near Leeds, Alabama, as a State trunk road.

H. 1076. To provide that in all the counties of the State of Alabama having a population of not less than 39,920 nor more than 39,925 according to the last preceding Federal census, that the interest on all interest bearing warrants issued from and after the passage and approval of this act, by the court of county commissioners, board of revenue or other governing body of such counties, by whatever name called, shall be a preferred claim against the general fund of such counties, shall be payable out of the general fund of such counties each year, and to provide the time and manner of the payment of such interest out of said general fund.

H. 656. To authorize and empower cities and towns of the State of Alabama to contract with the United States of America, the State of Alabama, and any county of the State of Alabama, for the construction or improvement, or the reconstruction or reimprovement of streets, avenues and highways, when such streets, avenues or highways are established, constructed, reconstructed, improved or reimproved by the United States govern-

ment, the State of Alabama, or any county of the State of Alabama, and to agree upon the proportionate share of the cost of such assessment to be paid by any municipality; and to provide for the assessment of the same against the property benefited; and to authorize the issuance of bonds for such public improvements; and to provide that such proceedings shall be governed by the general laws of Alabama relating to assessments for public improvements, except as herein provided.

H. 821. To validate payments heretofore made by county authorities for cattle tick eradication and all debts contracted and warrants issued heretofore for vats and other expenses of tick eradication.

H. 850. For the relief of J. N. Varner, of Conecuh county, Alabama, appropriating to him one hundred forty dollars (\$140.00) out of any funds in the State treasury not otherwise appropriated on account of his name being wrongfully stricken from the pension roll as a Confederate veteran.

H. 905. To provide that in all counties having a population of not less than 22,750 and not more than 23,000, according to the last preceding Federal census, or any subsequent census, the informer shall receive one-half of the fine in all cases of conviction for violation of the prohibition law and to provide for the payment of same in such counties.

H. 913. To provide for the payment of the expenses and compensation of a guard incurred in bringing back to the State of Alabama from Little Rock, Arkansas, L. W. Griffith, a fugitive from justice, charged under proper process with the charge of burglary and grand larceny; and brought back to Alabama under due and legal authority and requisition of the governor of Alabama.

H. 938. To require the payment to State convicts, upon their lawful discharge from penal servitude, of additional cash allowances adequate to their needs.

H. 944. To provide for the establishment and maintenance of public libraries by counties, to provide for their government and supervision, and to authorize the co-operation and affiliation of rural, town and village school libraries with any libraries so organized.

H. 1077. To provide that in all counties of the State of Alabama, having a population of not less than 39,920 nor more than 39,925 according to the last preceding Federal census, the interest on outstanding road warrants issued by such counties, where such outstanding road warrants amount to the sum of \$140,000.00 and bear interest at the rate of six (6%) per centum per annum, shall become a preferred claim against the general fund

of such counties, shall be paid out of the general fund of such counties and to provide the manner of the payment of such interest.

H. 231. To amend section 1 of an act entitled an act to designate certain public roads of the State of Alabama as State trunk roads, and to provide the manner in which such roads shall be located, improved and maintained. Approved September 10, 1915.

H. 1068. To vacate the dedication of all streets, roads, avenues and alleys through, over, on or across the following described property, situated in the county of Montgomery and State of Alabama, to-wit: Beginning at the half mile corner in the center of section ten (10), township sixteen (16), range seventeen (17); thence west twenty-one hundred forty-five (2,145) feet to the right of way of the Mobile & Ohio railroad; thence along said railroad right of way north forty (40°) degrees thirty (30') minutes west twenty-eight hundred two (2,802) feet; thence and continue with said railroad right of way north forty-two and one-half (42½°) degrees west one hundred ninety-four (194) feet to a stake; thence north forty-nine (49°) degrees thirty (30') minutes east twelve hundred forty-three (1,243) feet; thence north seventy-two and one-half (72½°) degrees east nine hundred sixty-two (962) feet to the Washington Ferry road; thence along the west side of said road south fifty-three and one-half (53½°) degrees east nine hundred (900) feet; thence and continue with said road south forty-five and one-half (45½°) degrees east two hundred twenty-five (225) feet; thence and continue with said road south thirty-nine (39°) degrees thirty (30') minutes east five hundred (500) feet; thence and continue with said road south thirty (30') minutes east one hundred one (101) feet; thence and continue with said road south sixteen (16°) degrees east five hundred (500) feet; thence and continue with said road south thirty (30') minutes east five hundred (500) feet; thence and continue with said road south twenty (20°) degrees east one hundred eighty (180) feet; thence and continue with said road south twenty-seven (27°) degrees east eighty-nine (89) feet to a stake; thence south one (1°) degree west five hundred eighty-one (581) feet to a stake; thence east three hundred seventy-seven (377) feet to a stake; thence south along the half section line five hundred eighty-seven (587) feet and to a point three hundred seventy-three (373) feet north of the said center of section ten (10); thence south fifty-seven and one-half (57½°) degrees east ninety-four (94) feet; thence south eighty-six (86°) degrees east eight hundred nineteen (819) feet; thence south fifteen (15°) degrees east two hundred sixty-four (264) feet to a stake; thence west forty-one (41) feet;

thence south fifteen (15°) degrees east two thousand sixty-five (2,065) feet to the Selma road, thence along said road south seventy-five (75°) degrees west five hundred seven (507) feet; thence south fifty-four (54°) degrees west one hundred forty-two (142) feet along the said road, thence and continue with said Selma road south forty-four (44°) degrees west five hundred forty-three (543) feet to the intersection of the right of way of the Mobile & Ohio railroad; thence along and with the curvature of said railroad right of way north seventy-two (72°) degrees west two hundred seventy (270) feet; thence and continue with said railroad right of way north sixty-five and one-half ($65\frac{1}{2}^{\circ}$) degrees west two hundred forty-five (245) feet to the half section line dividing section ten (10); thence north along said half section line twenty-four hundred twenty (2,420) feet to the center of section ten (10), township sixteen (16), range seventeen (17), the said point of beginning.

(With notice and proof attached hereto and exhibited as follows:)

State of Alabama, }
Montgomery County. }

Personally appeared before me, John B. DeMotte, a notary public in and for said county in said State, Brame Hood, who is known to me, and who, being first duly sworn, deposes and says on oath that he is assistant manager of the Montgomery Journal a newspaper published daily in the city of Montgomery, in the county of Montgomery, in the State of Alabama, and which has been so published for the last several years; and that the following notice, to-wit:

"Notice is hereby given that a bill will be introduced for passage in the Legislature of Alabama, at its present session, such bill to be entitled and in substance as follows:

AN ACT

To vacate the dedication of all streets, roads, avenues and alleys through, over, on or across the following described property, situated in the county of Montgomery and State of Alabama, to-wit:

Beginning at the half mile corner in the center of section ten (10), township sixteen (16), range seventeen (17); thence west twenty-one hundred forty-five (2,145) feet to the right of way of the Mobile & Ohio Railroad; thence along said railroad right of way north forty (40°) degrees thirty (30') minutes west twenty-eight hundred two (2,802) feet; thence and continue with said railroad right of way north forty-two and one-half ($42\frac{1}{2}^{\circ}$) degrees west one hundred ninety-four (194) feet to a stake; thence north forty-nine (49°) degrees thirty (30') minutes east twelve hundred forty-three (1,243) feet; thence north seventy-two and one-half ($72\frac{1}{2}^{\circ}$) degrees east six hundred three (603) feet; thence north forty-four (44°) degrees east nine hundred sixty-two (962) feet to the Washington Ferry road; thence along the west side of said road south fifty-three and one-half ($53\frac{1}{2}^{\circ}$) degrees east nine hundred (900) feet; thence and continue with said road south forty-five and one-half ($45\frac{1}{2}^{\circ}$) degrees east two hundred twenty-five (225) feet; thence and continue with said road south thirty-nine (39°) degrees thirty (30') minutes east five hundred (500) feet; thence and con-

tinue with said road south thirty (30') minutes east one hundred one (101) feet; thence and continue with said road south sixteen (16°) degrees east five hundred (500) feet; thence and continue with said road south thirty (30') minutes east five hundred (500) feet; thence and continue with said road south twenty (20°) degrees east one hundred eighty (180) feet; thence and continue with said road south twenty-seven (27°) degrees east eighty-nine (89) feet to a stake; thence south one (1°) degree west five hundred eighty-one (581) feet to a stake; thence east three hundred seventy-seven (377) feet to a stake; thence south along the half section line five hundred eighty-seven (587) feet and to a point three hundred seventy-three (373) feet north of the said center of section ten (10); thence south fifty-seven and one-half (57½°) degrees east ninety-four (94) feet; thence south eighty-six (86°) degrees east eight hundred nineteen (819) feet; thence south fifteen (15°) degrees east two hundred sixty-four (264) feet to a stake; thence west forty-one (41) feet; thence south fifteen (15°) degrees east two thousand sixty-five (2,065) feet to the Selma road; thence along said road south seventy-five (75°) degrees west five hundred seven (507) feet; thence south fifty-four (54°) degrees west one hundred forty-two (142) feet along the said road; thence and continue with said Selma road south forty-four (44°) degrees west five hundred forty-three (543) feet to the intersection of the right of way of the Mobile & Ohio railroad; thence along and with the curvature of said railroad right of way north seventy-two (72°) degrees west two hundred seventy (270) feet; thence and continue with said railroad right of way north sixty-five and one-half (65½°) degrees west two hundred forty-five (245) feet to the half section line dividing section ten (10); thence north along said half section line twenty-four hundred twenty (2,420) feet to the center of section ten (10), township sixteen (16), range seventeen (17), the said point of beginning.

Be it enacted by the Legislature of Alabama:

Section 1. That the dedication of all streets, roads, avenues and alleys through, over, on or across that tract of land, situated in the county of Montgomery and State of Alabama, which is described as follows:

Beginning at the half mile corner in the center of section ten (10), township sixteen (16), range seventeen (17); thence west twenty-one hundred forty-five (2,145) feet to the right of way of the Mobile & Ohio Railroad; thence along said railroad right of way north forty (40°) degrees thirty (30') minutes west twenty-eight hundred two (2,802) feet; thence and continue with said railroad right of way north forty-two and one-half (42½°) degrees west one hundred ninety-four (194) feet to a stake; thence north forty-nine (49°) degrees thirty (30') minutes east twelve hundred forty-three (1,243) feet; thence north seventy-two and one-half (72½°) degrees east six hundred three (603) feet; thence north forty-four (44°) degrees east nine hundred sixty-two (962) feet to the Washington Ferry road; thence along the west side of said road south fifty-three and one-half (53½°) degrees east nine hundred (900) feet; thence and continue with said road south forty-five and one-half (45½°) degrees east two hundred twenty-five (225) feet; thence and continue with said road south thirty-nine (39°) degrees thirty (30') minutes east five hundred (500) feet; thence and continue with said road south thirty (30') minutes east one hundred one (101) feet; thence and continue with said road south sixteen (16°) degrees east five hundred (500) feet; thence and continue with said road south thirty (30') minutes east five hundred (500) feet; thence and continue with said road south twenty (20°) degrees east one hundred eighty (180) feet; thence and continue with said road south twenty-seven (27°) degrees east eighty-nine (89) feet to a stake; thence south one (1°) degree west five hundred eighty-one (581) feet to a stake; thence east three hundred seventy-seven

(377) feet to a stake; thence south along the half section line five hundred eighty-seven (587) feet and to a point three hundred seventy-three (373) feet north of the said center of section ten (10); thence south fifty-seven and one-half ($57\frac{1}{2}^{\circ}$) degrees east ninety-four (94) feet; thence south eighty-six (86°) degrees east eight hundred nineteen (819) feet; thence south fifteen (15°) degrees east two hundred sixty-four (264) feet to a stake; thence west forty-one (41) feet; thence south fifteen (15°) degrees east two thousand sixty-five (2,065) feet to the Selma road; thence along said road south seventy-five (75°) degrees west five hundred seven (507) feet; thence south fifty-four (54°) degrees west one hundred forty-two (142) feet along the said road; thence and continue with said Selma road south forty-four (44°) degrees west five hundred forty-three (543) feet to the intersection of the right of way of the Mobile & Ohio railroad; thence along and with the curvature of said railroad right of way north seventy-two (72°) degrees west two hundred seventy (270) feet; thence and continue with said railroad right of way north sixty-five and one-half ($65\frac{1}{2}^{\circ}$) degrees west two hundred forty-five (245) feet to the half section line dividing section ten (10); thence north along said half section line twenty-four hundred twenty (2,420) feet to the center of section ten (10), township sixteen (16), range seventeen (17), the said point of beginning.

Be and the same are hereby vacated and annulled and that all the streets, roads, avenues and alleys through said property be and the same are hereby relinquished and abandoned.

Section 2. That all laws and parts of laws in conflict with this act are hereby expressly repealed."

Has been published without cost to the State in the county where the matter or thing to be affected by the proposed law mentioned in said notice is situated; that said notice was published at least once a week for four consecutive weeks in said newspaper, in the county of Montgomery, in the State of Alabama, in the months of August and September of this year, 1919, prior to the making of this affidavit and the introduction of the proposed bill in the Legislature of Alabama, and this affidavit is made for the purpose of showing that said notice has been given.

Brame Hood.

Subscribed and sworn to before me, this the 10th day of September, A. D., 1919.

John B. DeMotte,

Notary Public, in and for the County of Montgomery, in the State of Alabama.

H. 1066. To alter, extend or re-arrange the boundary lines of the corporate limits of the town of Brighton, Alabama.

(With notice and proof attached hereto and exhibited as follows:)

NOTICE.

Notice is hereby given that a bill will be introduced for passage in the present Legislature of Alabama, substantially as follows, viz.:

AN ACT

Entitled an act to alter, extend or rearrange the boundary lines of the corporate lines of the corporate limits of the town of Brighton, Alabama. Be it enacted by the Legislature of Alabama, as follows:

That the boundary lines of the corporate limits of the town of Brighton, Alabama, are altered, extended or rearranged so as to be as follows:

Beginning at the northwest corner of section 34, township 18, range four (4) west, thence northerly along the western boundary line of section 27, township 18, range 4 west one-half mile to northwest corner of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$, thence east along quarter section line to east boundary line of section 27, township 18, range 4 west, which point is the northeast corner of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of said section 27, then continue east along the quarter section line to center of section 26, township 18, range 4 west, thence south along center line of section 26, to the south boundary line of section 26, thence west along south boundary line to the southwest corner of said section 26, thence west along south boundary line of section 27, township 18, range 4 west, to a point where said line intersects Valley Creek, then following down, with and along the meanderings of said Valley Creek to where the western boundary line of said section 34 crossed Valley Creek, thence northwardly along the western boundary line of section 34 to the point of beginning, situated in Jefferson county, Alabama.

State of Alabama, }
 Jefferson County. }

Personally appeared before me the undersigned authority in and for said county in said State, Wm. H. H. Judson, who being by me first duly sworn deposes and says, that he is the editor and general manager of the Bessemer Weekly, a newspaper of general circulation published in the city of Bessemer, Jefferson county, Alabama, and that he has personal knowledge of the facts herein set forth, and that the above attached notice was published in said Bessemer Weekly once a week each week for four consecutive weeks prior to the date hereof, viz.: on August 9th, 1919, August 16th, 1919, August 23rd, 1919 and August 30th, 1919.

Wm. H. H. Judson.

Sworn to and subscribed before me this 6th day of September, 1919.

G. F. Goodwyn,
 Notary Public.

H. 1044. For the relief of W. J. Richardson, sheriff of Pickens county, Alabama, to pay him the sum of \$177.07 due him by the State of Alabama, for extraordinary expenses incurred in the extradition of Charley Carpenter from Muskogee, Oklahoma, under authority from the governor of Alabama dated Dec. 16, 1918.

(With notice and proof attached hereto and exhibited as follows:)

NOTICE.

Notice is hereby given that the following bill will be introduced in the present session of the Legislature of Alabama:

A BILL

To be entitled an act for the relief of W. J. Richardson, sheriff of Pickens county, Alabama, to pay him the sum of \$177.07 due him by the State of Alabama for extraordinary expenses incurred in the extradition of Charley Carpenter from Muskogee, Oklahoma, under authority from the governor of Alabama dated December 16, 1918.

Whereas, the governor of Alabama did on the 16th day of December, 1918, issue extradition papers authorizing W. J. Richardson, as agent of the State of Alabama, to deliver Charley Carpenter, a fugitive from justice, from the State of Oklahoma, and deliver him in the county jail of Pickens county; and whereas the said W. J. Richardson went to the city of Muskogee, Oklahoma, where the said Charley Carpenter was being detailed and

after securing the executive warrant from the governor of Oklahoma for his delivery was compelled to wait twenty-eight days and employ attorneys to represent the State of Alabama in various courts wherein the said Charley Carpenter sought release, and incur many other items of expense not commonly incurred in such cases; and where as a cost bill for the same was duly presented to the State of Alabama for denied on the ground that the same could not be allowed under the statute authorizing pay in such cases that the entire expense incurred amounted to \$440.72, that the State of Alabama paid \$236.65, leaving a balance of \$177.07 due, therefore.

Section 1. Be it enacted by the Legislature of Alabama, that the State of Alabama owes W. J. Richardson the sum of \$177.07.

Section 2. Be it further enacted that the auditor be, and he is, hereby required to draw a warrant of the State treasurer of the State of Alabama, in favor of the said W. J. Richardson for the said amount of \$177.07 payable out of any money in the State treasury not otherwise appropriated.

The State of Alabama, }
Pickens County.

Before me, Jack M. Pratt, a notary public in and for said State and county, personally appeared Ben I. Rapport, who being first duly sworn, deposes and says: That he is editor and manager of the Pickens County Herald, a weekly newspaper published in Carrollton, Pickens county, Alabama, and states that the notice hereto attached appeared for four consecutive weeks in said papers on to-wit: the 26th day of June, 3rd day of July, and 10th day of July, 1919, and July 17th, 1919.

Ben I. Rapport.

Sworn to and subscribed before me this the 6th day of August, 1919.

Jack M. Pratt,
Notary Public.

H. 1038. To repeal an act entitled "An act to authorize and empower the Decatur Land Company, a corporation, to list certain of its lands to tax assessor of Morgan county in acreage," approved December 13, 1900.

(With notice and proof attached hereto and exhibited as follows:)

NOTICE.

is hereby given that the following bill in substance will be introduced in the Legislature of Alabama at the present July session, and effort will be made to secure its passage, to-wit:

AN ACT

An act to repeal an act entitled "An act to authorize and empower the Decatur Land Company, a corporation, to list certain lands to tax assessor of Morgan county in acreage," approved December 13, 1900.

Sec. 1. Be it enacted by the Legislature of Alabama: That the act of the General Assembly of Alabama entitled an act to authorize and empower the Decatur Land Company, a corporation, to list certain of its lands to the tax assessor of Morgan county in acreage. Approved December 13, 1900.

Be and the same is hereby repealed.

State of Alabama, }
Morgan County.

Before me, the undersigned authority, personally appeared M. D. Wiggins, who being first duly sworn, doth depose and say:

That he is manager of the Hartselle Enterprise, a weekly newspaper of general circulation, published in Hartselle, Morgan county, Alabama, and that the notice, copy of which is hereto attached, was published in the issues of said paper of date July 24, July 31, Aug. 7, and Aug. 14, 1919; that each of said issues of said paper were regularly issued and mailed to the subscribers of said paper at Hartselle, in Morgan County, Alabama.

M. D. Wiggins.

Subscribed and sworn to before me, this August 28th, 1919.

Italyne Hardwick,
Notary Public.

H. 955. To provide for the relief of L. F. Jackson and to authorize the payment to him of the sum of one hundred dollars out of the fine and forfeiture fund of Jefferson county, same having been paid by him upon the forfeiture of a bond of Judge Morrow.

(With notice and proof attached hereto and exhibited as follows:)

NOTICE.

Notice is hereby given that application will be made to the Legislature of Alabama for the passage of an act in substance as follows:

To provide for the relief of L. F. Jackson and to authorize the payment to him of the sum of one hundred dollars out of the fine and forfeiture fund of Jefferson county, same having been paid by him upon the forfeiture of a bond of Judge Morrow.

Be it enacted by the Legislature of Alabama:

Section 1. That the sum of one hundred dollars heretofore paid by L. F. Jackson into the fine and forfeiture fund of Jefferson county upon the forfeiture of a bond on one Judge Morrow, be and the same is hereby refunded and the treasurer of Jefferson county is hereby authorized and directed to pay to the said L. F. Jackson said sum of one hundred dollars out of the fine and forfeiture fund of Jefferson county.

State of Alabama, }
County of Jefferson. }

Personally appeared before me, Mary Mosley, notary public in and for said State and county, J. H. F. Mosley, who, being duly sworn, deposes and says that he is editor and manager of the Labor Advocate, a weekly newspaper published at Birmingham, Alabama; and that the advertisement notice attached hereto was published in the Labor Advocate on the following dates: July 12, 19, 26; Aug. 2, 1919.

J. H. F. Mosley.

Sworn to and subscribed before me, this 7th day of August, 1919.
(Seal)

Mary Mosley,
Notary Public.

H. 904. For the relief of J. S. Ward and R. H. Wood.

(With notice and proof attached hereto and exhibited as follows:

NOTICE.

Notice is hereby given that application will be made to the present session of the Legislature of Alabama to pass a law relieving J. S. Ward from

all liability for all fees or compensation received by him for services rendered in cases disposed of in the county court of Bibb county, Ala., while sheriff of said county.

Also to relieve R. H. Wood, sheriff, from all liability for fees or compensation received by him for services rendered as sheriff in cases disposed of in the county court of Bibb county, Ala.

The State of Alabama, {
Bibb County. }

Before me, E. M. Bishop, a notary public, in and for said State and county, personally appeared C. E. Allen, who being by me first duly sworn, deposes and says: That he is editor and publisher of the Blocton Enterprise, a newspaper published in Bibb county, Alabama, and that the attached notice, marked Exhibit A was published in the Blocton Enterprise for four successive weeks, as follows: July 24th, 1919; July 31st, 1919; Aug. 7th, 1919, and August 14th, 1919.

C. E. Allen.

Sworn to and subscribed before me, this August 15th, 1919.

E. M. Bishop,
Notary Public.

H. 803. To regulate and provide for the payment of claims against the fine and forfeiture fund of Autauga county, Alabama.

(With notice and proof attached hereto and exhibited as follows:)

NOTICE.

Notice is hereby given that at and during the adjourned session of the Legislature of Alabama for the regular session of 1919 the following local bills will be introduced for Autauga county:

Bill No. 1. A bill to be entitled an act to regulate and provide payment of claims against the fine and forfeiture fund of Autauga county; to register and number the same.

Bill No. 2. A bill to be entitled an act to make the clerk of the circuit court of Autauga county ex-officio clerk of the county court and to fix compensation therefor.

Bill No. 3. A bill entitled an act to provide for the payment of all State witnesses in attendance before the grand jury of Autauga county or in attendance as witnesses for the State in circuit court or county court of said county and to designate the claims against the fine and forfeiture funds of said county.

The State of Alabama, {
Autauga County. }

Before me, W. W. Hinton, clerk of the circuit court in and for said county and State, personally appeared H. S. Doster, who being duly sworn deposes and says on oath that he is the editor of the Prattville Progress, a newspaper published in Prattville in the county of Autauga, and that the notice hereto attached was continued in four successive issues of the Prattville Progress.

H. S. Doster.

Sworn to and subscribed before me on this twenty-sixth day of July, 1919.

W. W. Hinton,
Clerk of Circuit Court in and for said State and County.

H. 783. To repeal an act to require the commissioners' court of Morgan county to work all the county convicts of said county on the public roads of said county passed by the Legislature of Alabama at the session of 1911 and approved on March 11th, 1911.

(With notice and proof attached hereto and exhibited as follows:)

NOTICE.

Notice is hereby given that at the July, 1919, session of the Legislature of Alabama, a bill will be introduced, repealing an act entitled, "An act to **require the commissioners court of Morgan county to work all the county convicts of said county on the public roads of said county,**" passed by the Legislature at the session of 1911, and approved on March 11th, 1911, as shown by Local Acts of 1911 at page 91.

State of Alabama, }
Morgan County. }

Before me, L. P. Troup, judge of probate in and for said county in said State, this day personally appeared W. R. Shelton, who being duly sworn, deposes and says:

"I am the publisher and business manager of the Albany-Decatur Daily, a daily newspaper published in Albany, Morgan county, Alabama, of general circulation in said county. The annexed advertisement of notice that application would be made to the present session of the Legislature of Alabama for the passage of a local law for Morgan county, repealing an act entitled an act to require the commissioners' court of Morgan county to work the county convicts of said county on the public roads, was published regularly each week in said newspaper for four consecutive weeks, the dates of the issues of said paper in which said notice appeared being June 14th, 21st and 28th, and July 5th, all in the year 1919, and that said publication was made without cost or expense to the State of Alabama, or the county of Morgan.

W. R. Shelton.

Sworn to and subscribed before me this 19th day of July, A. D. 1919.

L. P. Troup,
Judge of Probate.

H. 410. For the relief of H. C. Davidson, trustee for Camp Lomax, United Confederate Veterans, and to require the county's proportion of the license money paid by said H. C. Davidson, as said trustee, in March, 1917, to be refunded by the treasurer of Montgomery county, or the person or corporation acting as such treasurer, and requiring the auditor of the State of Alabama to draw his warrant, for the amount or proportion of said license money which the State received, in favor of said H. C. Davidson, trustee, the total being \$120.00.

(With notice and proof attached hereto and exhibited as follows:)

NOTICE.

Notice is hereby given that Camp Lomax No. 151, Confederate Veterans of Montgomery, Alabama, will petition the Legislature of the State of

Alabama to refund the license tax of \$120.00 paid by it to the State of Alabama on the 10th day of March, 1917, for holding a street fair for the benefit of said camp in the city of Montgomery.

Jno. B. Fuller,
Commander of Camp Lomax 151.
Paul Sanguinetti,
Adjutant.

January 30th, 1919.

State of Alabama. }

Montgomery County. }

Before me, Augusta Nettles, a notary public in and for said county and State personally appeared R. F. Hudson, who being by me duly sworn, deposes and says that he is treasurer for The Advertiser Company; that the attached advertisement appeared in The Advertiser, a newspaper published daily in Montgomery county, Alabama, on the following dates: February 1st, 8th, 15th and 22nd.

R. F. Hudson.
Sworn to and subscribed before me this 6th day of March, 1919.
Augusta Nettles,
Notary Public.

H. 903. For the relief of Robert Thrasher.

(With notice and proof attached hereto and exhibited as follows:)

NOTICE.

Notice is hereby given that application will be made to the present session of the Legislature of Alabama for the passage of a law to ratify and confirm all the acts of Robert Thrasher while acting as ex-officio clerk of the county court of Bibb county, Ala., and to relieve him from all liability for fees collected by him while acting as clerk of the county court of Bibb county, Ala.

The State of Alabama, {
Bibb County. }

Before me, E. M. Bishop, a notary public, in and for said State and county, personally appeared C. E. Allen, who being by me first duly sworn, deposes and says: That he is editor and publisher of the Blocton Enterprise, a newspaper published in Bibb county, Alabama, and that the attached notice, marked Exhibit A, was published in the Blocton Enterprise for four successive weeks, as follows: July 24th, 1919; July 31st, 1919; Aug. 7th, 1919, and August 14th, 1919.

C. E. Allen.
Sworn to and subscribed before me, this August 15th, 1919.
E. M. Bishop,
Notary Public.

H. 615. To amend certain sections of the primary election law, being "An act to regulate primary elections in the State of Alabama," appearing in the printed acts of 1915 at pages 218 to 239 inclusive, by amending, to-wit: Sections 8, 9, 11, 12, 19, 20, 23, 32, 33, 36, 38, 39, 40, 41, 42, 43, 45, 49, 52 and 58 of said act.

H. 211. For the relief of Cora Rasco of Jefferson county, Alabama, for the death of her husband, Robert F. Dickinson, who

was killed by falling rock in Lucile Mine, in Bibb county, Alabama, on the 26th day of May, 1913, while in the employment of the State of Alabama.

(With notice and proof attached hereto and exhibited as follows:)

State of Alabama, }
Jefferson County. }

Before me, the undersigned authority, in and for the county nad State, aforesaid personally appeared George M. Howle, editor of The Weekly Call, a weekly newspaper published in said State and county, who being by me first duly sworn, deposes and says that the notice a true copy of which is hereto attached, was published in the Weekly Call, once a week for four (4) consecutive weeks, commencing on the 21 day of December, 1918. Said copy herein referred to being in words and figures as follows:

LEGAL NOTICE.

Notice is hereby given that a bill will be introduced at the next session of the Legislature, when the same shall assemble on January 14, 1919, and the substance of the proposed law will be:

A bill to be entitled an act for the relief of Cora Rasco of Jefferson county, Alabama, for the death of her husband, Robert F. Dickinson, who was killed by falling rock in Lucile Mine, in Bobb county, Alabama, on the 26th day of May, 1913, while in the employment of the State of Alabama.

Section 1. Be it enacted by the Legislature of Alabama, that an appropriation of two thousand, five hundred dollars, be and the same is hereby made for the relief of Cora Rasco, widow of Robert F. Dickinson, who was killed by falling rock in Lucile Mine, in Bibb county, Alabama, on the 26th day of May, 1913, while in the employment of the State of Alabama.

Section 2. That the amount of money named in the foregoing section shall be paid out of any funds in the treasury not otherwise appropriated, and that the State auditor be and is hereby authorized and required to draw his warrant on the treasurer for the amountn amed in section 1 of this act.

Dec. 21-28, Jan. 4-11.

Geo. M. Howle,
Editor of The Weekly Call.

Sworn to before me, and signed in my presence, this 13th day of January, 1919.
(Seal)

Robt. J. Wheeler,
Notary Public.

And sends same herewith to the Senate.

Fred H. Gormley,
Clerk.

HOUSE MESSAGE.

The House bills in the foregoing House message were severally read once and referred to appropriate standing committees as follows:

H. 8, H. 803, H. 905, to the Committee on Revision of Laws.

H. 256, H. 656, to the Committee on Municipalities and Municipal Organizations.

H. 324, H. 1049, H. 1068, H. 1066, to the Committee on Local Legislation.

H. 441, to the Committee on Corporations.

H. 549, H. 642, H. 1056, H. 821, H. 850, H. 913, H. 938, H. 1044, H. 1038, H. 955, H. 904, H. 410, H. 903, H. 211, to the Committee on Finance and Taxation.

H. 578, H. 1046, H. 1076, H. 1077, to the Committee on Judiciary.

H. 596, to the Committee on Education.

H. 228, to the Committee on Agriculture.

H. 969, H. 1059, H. 231, H. 783, to the Committee on Public Roads and Highways.

H. 1033, to the Committee on Public Health.

H. 615, to the Committee on Privileges and Elections.

H. 944, to the Committee on Education.

BILLS ON THIRD READING.

The bill:

S. 457. To fix the compensation of the members of the commissioners courts or boards of revenue in all counties having a population of not less than 39,110 and not more than 39,920, according to the census of 1910, and to provide for the payment of the same.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 22; Nays, 0.

Yeas:

Messrs:

Acker	Carlton	Harper	Prestwood
Baker	Carmichael	Miller	Sims
Beale	Cowan	Morris	Smith (Coosa)
Bedsole	Craft	McDowell	Tally
Briscoe	Evins	Nance	West
Butler	Griffith		

—22

Nays:—None.

The bill:

S. 709. To provide a fund out of which the salaries of the judges of the county court shall be paid, and to fix the amount of such salaries in counties having a population of more than eighteen thousand and less than eighteen thousand three hundred, according to the Federal census of 1910 or any subsequent Federal census.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 23; Nays, 0.

Yeas:

Messrs:

Acker	Butler	Griffith	Rogers (Sumter)
Baker	Carlton	Harper	Sims
Beale	Carmichael	Kelly	Smith (Coosa)
Bedsole	Cowan	Miller	Tally
Briscoe	Craft	McDowell	West
Brown	Evins	Prestwood	

—23

Nays:—None.

The bill:

H. 693. To abolish the town of Hollins, a municipal corporation, in Clay county, Alabama, and to dissolve the incorporation thereof, and to provide for the disposition of the records of said town.

Was read a third time at length and passed.

Yeas, 22; *Nays*, 0.

Yeas:

Messrs:

Acker	Butler	Harper	Nance
Baker	Carlton	Kelly	Prestwood
Beale	Cowan	Miller	Rogers (Sumter)
Bedsole	Craft	Morris	Smith (Coosa)
Briscoe	Evins	McDowell	Tally
Brown	Griffith		

—22

Nays:—None.

The bill:

H. 761. To provide for the more efficient construction and maintenance of the public roads and bridges of Crenshaw county; to provide for the election of a county engineer, to fix his salary and term of office and to prescribe his duties; to prescribe the duties of the commissioners court under this act; to provide revenue for the roads and bridges of the county; to levy a commutation fee of five dollars in lieu of road work; to levy a vehicle license tax for road purposes; to prescribe the duties of the tax assessor, tax collector, probate judge and sheriff under this act and to fix their compensation; to provide for the assessment and collection of the taxes under this act; to provide for the punishment of persons violating the provisions of this act; to provide for the disposition of fines and forfeitures collected under this act and for the hire of county convicts under this act and to provide such other duties as may be necessary for the better and more efficient construction and maintenance of the public roads and bridges of the county.

Was read a third time at length and passed.

Yeas, 21; *Nays*, 0.

Yeas:

Messrs:

Acker	Butler	Harper	Prestwood
Baker	Carlton	Kelly	Rogers (Lauderdale)
Beale	Carmichael	Miller	Smith (Coosa)
Bedsole	Cowan	Morris	Tally
Briscoe	Craft	McDowell	West
Brown			

—21

Nays:—None.

The bill:

S. 696. To fix the salary of the judge of the county court in all counties having a population of not less than twenty-eight thousand six hundred and seventy (28,670) and not more than twenty-eight thousand seven hundred and twenty (28,720) according to the Federal census of 1910 and provide for the payment of the same.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 21; Nays, 0.

Yeas:

Messrs:

Acker	Butler	Griffith	Prestwood
Baker	Carlton	Miller	Rogers (Sumter)
Beale	Carmichael	Morris	Sims
Bedsole	Cowan	McDowell	Smith (Lawrence)
Briscoe	Evins	Nance	West
Brown			

—21

Nays:—None.

The bill:

S. 545. To confer upon boards of revenue in counties of this State having a population of not less than 82,000 and not more than 100,000 according to the latest Federal census the right to condemn lands or interests therein for the purpose of obtaining gravel or other road building material for the building and maintenance of public roads of the county, and to prescribe the procedure for same.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 21; Nays, 0.

Yeas:

Messrs:

Acker	Briscoe	Carmichael	Evins
Baker	Brown	Cowan	Gunter
Beale	Butler	Craft	Miller
Bedsole	Carlton	Espy	Morris

Phillips
Rogers (Sumter)

Smith (Coosa)

Tally

West

—21

Nays:—None.

The bill:

S. 754. To change, alter or enlarge the corporate limits of the town of Inglenook, Jefferson county, Alabama.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 21; Nays, 0.

Yeas:

Messrs:

Acker
Baker
Beale
Bedsole
Briscoe
Brown

Carlton
Carmichael
Cowan
Craft
Evins

Gunter
Kelly
Miller
Morris
Prestwood

Rogers (Sumter)
Sims
Smith (Coosa)
Tally
West

—21

Nays:—None.

The bill:

S. 697. To abolish all county courts and the office of deputy solicitor in all counties in the State of Alabama, in which there is but one circuit judge, which counties alone constitute a judicial circuit, and repealing all laws or parts of laws in conflict with the provisions of this act, and providing when this act shall take effect.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 20; Nays, 0.

Yeas:

Messrs:

Acker
Baker
Beale
Bedsole
Briscoe

Carlton
Carmichael
Cowan
Craft
Griffith

Harper
Kelly
Miller
Morris
Nance

Prestwood
Sims
Smith (Coosa)
Tally
West

—20

Nays:—None.

The bill:

H. 914. To amend an act entitled an act "To fix the time of holding the circuit court in the third judicial circuit of the State of Alabama," as amended and approved April 7th, 1911.

Was read a third time at length and passed.

Yeas, 21; Nays, 0.

Yeas:

Messrs:

Acker	Carlton	Harper	Phillips
Baker	Carmichael	Kelly	Prestwood
Beale	Craft	Miller	Smith (Coosa)
Bedsole	Evins	Morris	Tally
Briscoe	Gunter	McDowell	West
Brown			

—21

Nays:—None.

The bill:

H. 665. To establish a county court for Morgan county; to define its jurisdiction and powers; to provide for its officers, their powers, duties and compensation; to provide that the said court shall be open at all times for the trial of cases and transaction of business; prescribing rules and procedure of said court; and to provide for the transfer of certain causes now or hereafter pending in the circuit court of Morgan county to the Morgan county court.

Was read a third time at length and passed.

Yeas, 22; Nays, 0.

Yeas:

Messrs:

Acker	Carlton	Harper	Prestwood
Baker	Carmichael	Leith	Rogers (Sumter)
Beale	Cowan	Morris	Sims
Bedsole	Craft	McDowell	Tally
Briscoe	Evins	Nance	West
Brown	Griffith		

—22

Nays:—None.

The bill:

H. 822. That the county treasurer or custodian of funds be authorized and directed to transfer all monies to the credit of the special jail fund to the credit of the general fund.

Was read a third time at length and passed.

Yeas, 23; Nays, 0.

Yeas:

Messrs:

Acker	Butler	Griffith	Prestwood
Baker	Carlton	Harper	Sims
Beale	Carmichael	Kelly	Smith (Coosa)
Bedsole	Cowan	Miller	Tally
Briscoe	Craft	Morris	West
Brown	Evins	Nance	

—23

Nays:—None.

The bill:

H. 951. To provide for the consolidation of two cities or towns whose boundaries touch with a third town or city not contiguous to either but whose boundary line is within one mile or less of the boundary of either of the others, so as to include within the consolidated city or town the territory between such cities or towns, prescribe the manner in which such consolidation may be had, to provide for the organization of the municipal government of the consolidated city or town, to provide for the payment of the debts of each of the consolidated cities or towns, the performance of the existing contracts of each of said cities and towns, and the disposition of the property of each of the consolidating cities or towns.

Was read a third time at length and passed.

Yeas, 21; Nays, 0.

Yeas:

Messrs:

Acker	Carlton	Harper	Prestwood
Baker	Cowan	Kelly	Rogers (Sumter)
Beale	Craft	Miller	Smith (Coosa)
Bedsole	Evins	Morris	Tally
Briscoe	Gunter	Nance	West
Brown			

—21

Nays:—None.

The bill:

H. 1039. To repeal an act entitled an act to provide for the construction, repairing, working and maintaining of the public roads of Russell county, Alabama, and to provide for the levying of a tax for the same and for punishing road defaulters, approved September 26th, 1903. Local Acts, 1903, pages 355, et sequiter.

Was read a third time at length and passed.

Yeas, 20; Nays, 0.

Yeas:

Messrs:

Acker	Brown	Evins	Nance
Baker	Butler	Gunter	Prestwood
Beale	Carlton	Kelly	Rogers (Sumter)
Bedsole	Carmichael	Miller	Tally
Briscoe	Craft	Morris	West

—20

Nays:—None.

The bill:

H. 975. To dissolve the municipal corporation of the town of James, Alabama.

Was read a third time at length and passed.

Yeas, 19; Nays, 0.

Yeas:

Messrs:

Acker	Brown	Evins	Rogers (Sumter)
Baker	Carlton	Gunter	Smith (Coosa)
Beale	Carmichael	Kelly	Tally
Bedsole	Cowan	Morris	West
Briscoe	Craft	Phillips	

—19

Nays:—None.

The bill:

H. 943. To regulate and prescribe the manner of electing county commissioner of Talladega county.

Was read a third time at length and passed.

Yeas, 20; Nays, 0.

Yeas:

Messrs:

Acker	Brown	Gunter	Rogers (Sumter)
Baker	Butler	Harper	Sims
Beale	Carmichael	Miller	Smith (Coosa)
Bedsole	Espy	Morris	Tally
Briscoe	Evins	Prestwood	West

—20

Nays:—None.

The bill:

H. 999. To provide for and regulate the payment of officers' costs in criminal cases where the defendant is acquitted or where State takes a nolle prosequi, or where case is abated by the death of defendant, or where the indictment is withdrawn and filed in counties having a population according to the last Federal census of not less than eighteen thousand three hundred and not exceeding eighteen thousand five hundred.

Was read a third time at length and passed.

Yeas, 20; Nays, 0.

Yeas:

Messrs:

Acker	Carlton	Gunter	Prestwood
Baker	Carmichael	Kelly	Rogers (Sumter)
Beale	Craft	Leith	Smith (Coosa)
Bedsole	Espy	Morris	Tally
Butler	Evins	Nance	West

—20

Nays:—None.

The bill:

H. 619. To create and establish a board of revenue in and for Morgan county, Alabama, in the place and stead of the com-

missioners' court now existing in said county, and abolishing said commissioners' court; to divide said county of Morgan into four districts, defining the boundaries thereof; providing that the present county commissioners shall be the members of said board of revenue for their unexpired term; fixing the term of office and providing for the election of subsequent members thereof; defining the jurisdiction of said board of revenue; fixing their compensation; conferring upon said board of revenue and the individual members thereof all the jurisdictions, powers, and authority granted by law to county commissioners and to commissioners' courts and boards of revenue in this State; authorizing the appointment by said board of revenue of a county auditor and a superintendent of public roads; providing for the holding of monthly meetings of said board of revenue beginning on the second Monday in each month; providing for the repeal of all laws in conflict with this act, and fixing the time when this act shall become operative.

Was read a third time at length and passed.

Yeas, 20; Nays, 0.

Yeas:

Messrs:

Acker	Cowan	Miller	Rogers (Sumter)
Baker	Craft	Morris	Sims
Beale	Evins	Nance	Smith (Coosa)
Briscoe	Harper	Prestwood	Tally
Butler	Kelly	Rogers (Lauderdale)	West

—20

Nays:—None.

The bill:

H. 508. To empower and direct the court of county commissioners of Henry county, Alabama, to pay from the general fund of said county for the publication of notices of intention to apply for the enactment of local laws for said county when the same are applicable to the entire county.

Was read a third time at length and passed.

Yeas, 20; Nays, 0.

Yeas:

Messrs:

Acker	Butler	Huddleston	Rogers (Sumter)
Baker	Carlton	Kelly	Sims
Beale	Cowan	Miller	Smith (Coosa)
Bedsole	Griffith	McDowell	Tally
Briscoe	Gunter	Rogers (Lauderdale)	West

—20

Nays:—None.

The bill:

H. 777. To provide for the more efficient construction and maintenance of the public roads and bridges of Crenshaw county, Alabama; to provide for raising revenue for the same; to levy a vehicle license tax on automobiles, motor trucks and all motor vehicles owned and operated by citizens of Crenshaw county, Alabama; to prescribe the duties of the tax assessor and tax collector of said county under this act; to provide penalties and punishment for the violation of this act, and to repeal conflicting laws.

Was read a third time at length and passed.

Yeas, 20; Nays, 0.

Yeas:

Messrs:

Acker	Carlton	Kelly	Phillips
Beale	Carmichael	Leith	Prestwood
Bedsole	Cowan	Miller	Rogers (Sumter)
Butler	Griffith	Morris	Sims
Caffey	Gunter	McDowell	Tally

—20

Nays:—None.

The bill:

H. 976. To amend an act to establish an inferior court in precincts 15 and 20 in Calhoun county, Alabama, in lieu of all justices of the peace and notaries public, with powers of justice of the peace in said precincts, and to define the jurisdiction and powers of said courts and judge thereof, to provide for the execution of the process of said court and the operation thereof, to regulate the rendition of judgments by default, to provide for the election, term of office, qualifications and compensation of the officers of said court, and the mode of their selection, and to abolish the office of justice of the peace and notary public, with power of justice of the peace in said precincts. Approved August 25th, 1915.

Was read a third time at length and passed.

Yeas, 20; Nays, 0.

Yeas:

Messrs:

Acker	Espy	Kelly	Phillips
Brown	Evins	Leith	Rogers (Lauderdale)
Caffey	Griffith	Miller	Rogers (Sumter)
Carmichael	Gunter	Moore	Sims
Cowan	Huddleston	Nance	West

—20

Nays:—None.

The bill:

S. 564. To authorize the court of county commissioners or Board of revenue in all counties in this State having a population of not less than eighteen thousand, eight hundred and eighty-nine and not more than eighteen thousand, eight hundred and ninety, according to the last preceding Federal census, to furnish to the sheriff in his county an automobile to be used by the sheriff in the discharge of his duties as sheriff, and to pay all expenses of operating said automobile, and of keeping the said automobile in repair.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 21; Nays, 0.

Yeas:

Messrs:

Acker

Baker

Beale

Bedsale

Briscoe

Brown

Butler

Carlton

Carmichael

Cowan

Espy

Evins

Gunter

Kelly

Miller

Morris

Phillips

Rogers (Sumter)

Smith (Coosa)

Tally

West

—21

Nays:—None.

The bill:

S. 668. To authorize and direct the sheriffs of all counties having a population of not less than 26,940 nor more than 27,000, according to the last Federal census or any subsequent census, to employ a janitor to keep the jail and grounds of said jails in a cleanly and sanitary condition; and to authorize and direct the boards of revenue or commissioners courts of said counties to pay the monthly salaries of said janitors by warrants issued therefor by the said boards of revenue or like governing bodies.

Was taken up. Mr. Harper offered the following amendment for said bill:

Amend Senate bill No. 668 by striking out the words "janitor or janitors" where it appears in the caption and body of said bill and insert in lieu thereof the words "deputies and janitor."

Also amend section 2 of said bill by striking out section 2, and inserting in lieu thereof the following, "Section 2. That the board of revenue or other like governing bodies hereby are authorized and directed to issue warrants to said sheriffs payable out of the general funds of the counties not exceeding one hundred dollars per month for said service."

Which was adopted.

Yeas, 21; Nays, 0.

*Yeas:**Messrs:*

Acker	Evins	Miller	Rogers (Sumter)
Baker	Griffith	Morris	Sims
Beale	Gunter	McDowell	Smith (Lawrence)
Carmichael	Harper	Nance	Tally
Craft	Kelly	Prestwood	West
Espy			

—21

Nays:—None.

And said bill, as thus amended, was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 22; Nays, 0.

*Yeas:**Messrs:*

Acker	Carlton	Gunter	Rogers (Sumter)
Baker	Carmichael	Harper	Smith (Coosa)
Beale	Cowan	Miller	Smith (Lawrence)
Bedsole	Craft	Morris	Tally
Briscoe	Espy	McDowell	West
Butler	Evins		

—22

Nays:—None.

The bill:

S. 565. To provide for the election of county superintendent of education of Dale county, Alabama, by the people, and to provide for the election of school trustees of every school district in said county by the patrons of such district.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 16; Nays, 15.

*Yeas:**Messrs:*

Baker	Evins	Morris	Prestwood
Bedsole	Gunter	McDowell	Rogers (Sumter)
Carlton	Harper	Nance	Smith (Lawrence)
Craft	Leith	Phillips	Tally

—16

*Nays:**Messrs:*

Acker	Butler	Espy	Sims
Beale	Caffey	Griffith	Smith (Coosa)
Briscoe	Carmichael	Kelly	West
Brown	Cowan	Miller	

—15

RESOLUTION.

Mr. Bedsole offered the following Senate resolution:

- S. R. 148. Be it resolved by the Senate, that Senate bill No. 693 be made a special order for 3 oclock of today.

Which was read and referred to the Committee on Rules.

BILLS ON THIRD READING RESUMED.

The bill:

S. 701. To provide for the relief of L. F. Jackson and to authorize the payment to him of the sum of one hundred dollars out of the fine and forfeiture fund of Jefferson county, same having been paid by him upon the forfeiture of a bond of Judge Morrow.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 20; Nays, 0.

Yeas:

Messrs:

Acker	Carmichael	Miller	Rogers (Sumter)
Beale	Griffith	Moore	Sims
Bedsole	Gunter	McDowell	Smith (Lawrence)
Briscoe	Harper	Nance	Tally
Butler	Leith	Phillips	West

—20

Nays:—None.

The bill:

H. 877. Allowing costs and fees to officers for the service of process from juvenile courts and for feeding prisoners committed by or held for or under such courts.

Was read a third time at length and passed.

Yeas, 22; Nays, 0.

Yeas:

Messrs:

Acker	Caffey	Gunter	Phillips
Baker	Carlton	Kelly	Rogers (Sumter)
Beale	Carmichael	Leith	Smith (Coosa)
Bedsole	Cowan	Moore	Tally
Briscoe	Craft	McDowell	West
Butler	Evins		

—22

Nays:—None.

The bill:

H. 968. To repeal an act to provide for the better construction, repairing, working, and maintaining of public roads and bridges in Clay county, Alabama, approved April 8th, 1911.

Was read a third time at length and passed.
Yeas, 20; Nays, 0.

Yeas:

Messrs:

Acker	Carmichael	McDowell	Sims
Beale	Craft	Nance	Smith (Coosa)
Bedsole	Griffith	Prestwood	Smith (Lawrence)
Briscoe	Kelly	Rogers (Lauderdale)	Tally
Brown	Miller	Rogers (Sumter)	West

—20

Nays:—None.

The bill:

H. 744. To ratify a resolution of the board of revenue of Jefferson county, Alabama, compromising the claim of Mrs. Effie McMickens against Jefferson county.

Was read a third time at length and passed.

Yeas, 20; Nays, 0.

Yeas:

Messrs:

Acker	Carmichael	Miller	Rogers (Sumter)
Beale	Griffith	Moore	Sims
Bedsole	Gunter	McDowell	Smith (Lawrence)
Briscoe	Harper	Nance	Tally
Butler	Leith	Phillips	West

—20

Nays:—None.

The bill:

H. 709. To abrogate to and abolish the jurisdiction of justices of the peace and notaries public with powers of justices of the peace in Morgan county, Alabama; of all criminal causes,, except as committing magistrates in felony cases.

Was read a third time at length and passed.

Yeas, 20; Nays, 0.

Yeas:

Messrs:

Acker	Craft	McDowell	Sims
Beale	Espy	Phillips	Smith (Coosa)
Bedsole	Gunter	Prestwood	Smith (Lawrence)
Caffey	Leith	Rogers (Lauderdale)	Tally
Carmichael	Miller	Rogers (Sumter)	West

—20

Nays:—None.

The bill:

H. 710. To abrogate and abolish the county courts of all counties in the State of Alabama, having a population, according to the last preceding and official and published Federal census,

of not less than thirty-three thousand, and not exceeding thirty-three thousand eight hundred.

Was read a third time at length and passed.

Yeas, 20; Nays, 0.

Yeas:

Messrs:

Acker	Craft	McDowell	Sims
Beale	Espy	Phillips	Smith (Coosa)
Bedsole	Gunter	Prestwood	Smith (Lawrence)
Caffey	Leith	Rogers (Lauderdale)	Tally
Carmichael	Miller	Rogers (Sumter)	West

—20

Nays:—None.

The bill:

S. 594. To authorize registers of the circuit court in circuits composed of only one county and having two or more circuit judges, or counties, now or hereafter, having a population of over 100,000 according to the last Federal census, to grant decrees pro confesso on bills or supplemental bills which are in default for want of answer on any day, in term time or vacation, and to issue all orders of publication to non-residents or where the address of defendants is unknown, in term time or vacation; or to issue any other process necessary to bring the defendant in to court as now provided by law; and to issue writs of garnishment on judgments or decrees for payment of cost.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 20; Nays, 0.

Yeas:

Messrs:

Acker	Carmichael	Miller	Rogers (Sumter)
Beale	Griffith	Moore	Sims
Bedsole	Gunter	McDowell	Smith (Lawrence)
Briscoe	Harper	Nance	Tally
Butler	Leith	Phillips	West

—20

Nays:—None.

The bill:

S. 527. To regulate the acquisition, disposition, possession and use of fire arms and ammunition in this State.

Was read a third time at length and lost.

Yeas, 5; Nays, 18.

Yeas:

Messrs:

Butler	Kelly	Rogers (Sumter)	West
Craft			

—5

Nays:

Messrs:

Baker	Espy	Nance	Sims
Bedsole	Evins	Phillips	Smith (Coosa)
Caffey	Harper	Prestwood	Smith (Lawrence)
Carlton	Morris	Rogers (Lauderdale)	Tally
Cowan	McDowell		

—18

The bill:

S. 588. To authorize a justice of the peace or notary public and ex-officio justice of the peace to issue a warrant in a felony case returnable to the county court and to regulate the costs in such cases.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 23; Nays, 0.

Yeas:

Messrs:

Baker	Carlton	Gunter	Prestwood
Bedsole	Carmichael	Kelly	Rogers (Sumter)
Briscoe	Cowan	Leith	Sims
Brown	Craft	Morris	Tally
Butler	Espy	McDowell	West
Caffey	Evins		

—23

Nays:—None.

The bill:

S. 654. To amend section 564 (1907) of the Code of Alabama.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 18; Nays, 1.

Yeas:

Messrs:

Baker	Evins	Leith	Sims
Bedsole	Griffith	McDowell	Smith (Coosa)
Briscoe	Gunter	Phillips	Tally
Butler	Harper	Rogers (Lauderdale)	West
Carlton	Kelly		

—18

Nays:

Mr. Caffey—1.

RESOLUTIONS.

Mr. Acker offered the following Senate resolution:

S. R. 149. Resolved, that on the forty-seventh legislative day only Senate bills shall be considered until all Senate bills have been disposed of and that debate on each bill be limited to five minutes.

Which was read and referred to the Committee on Rules.

Mr. Carmichael offered the following joint resolution:

S. J. R. 150. Resolved by the Senate, the House concurring, That when the Senate and House adjourn today it be till Tuesday, September 23rd, at 9 o'clock.

Resolved further, That the two bodies hold sessions on Tuesday, September 23; Wednesday, September 24, and Saturday, September 27, taking an adjournment from Wednesday, September 24, till Saturday, September 27, 1919.

Resolved further, That the Legislature adjourn sine die Saturday, September 27.

Resolved further, That all standing committees when necessary be requested to hold sessions of said committees on Monday, September 23rd.

Which was, under a suspension of the rules, adopted.

RECONSIDERATION OF VOTE ADOPTING CONFERENCE REPORT.

On motion of Mr. Evins, the Senate re-considered the vote by which it previously adopted the report of the Committee of Conference on the disagreement of the two houses on the House amendment to the bill:

S. 400. To fix the salary of the several circuit judges in Alabama.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has originated and passed the following bill:

By Mr. Holmes of Baldwin:

H. 583. To further revise, extend and amend the health and quarantine laws of the State of Alabama; to provide penalties for the violation of the provisions thereof, and to make appropriations to cover the expenses thereof.

And ordered same sent forthwith to the Senate without engrossment.

Fred H. Gormley,
Clerk.

HOUSE MESSAGE.

The House bill in the foregoing House message was read once and referred to appropriate standing committee as follows:

H. 583, to the Committee on Public Health.

BILLS ON THIRD READING RESUMED.

The bill:

S. 752. To fix the salaries of the chairman and two associate members of the State tax commission, and to prescribe the manner of payment of same.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 25; Nays, 2.

Yeas:

Messrs:

Acker	Cowan	Harper	Nance
Beale	Craft	Huddleston	Rogers (Lauderdale)
Bedsole	Espy	Kelly	Rogers (Sumter)
Briscoe	Evins	Leith	Smith (Lawrence)
Butler	Griffith	Miller	Tally
Carlton	Gunter	McDowell	West
Carmichael			

—25

Nays:

Messrs:

Morris	Phillips
--------	----------

—2

The bill:

S. 619. To repeal an act entitled "An act to better secure the administration of the finance affairs of the State with respect to expenditures and appropriations and for that purpose to establish a State budget commission and to prescribe rules and regulations governing the same," approved February 11, 1919.

Was read a third time at length and lost.

Yeas, 6; Nays, 23.

Yeas:

Messrs:

Baker	Harper	Leith	Morris
Evins	Huddleston		

—6

Nays:

Messrs:

Acker	Carmichael	Kelly	Sims
Beale	Cowan	Miller	Smith (Coosa)
Bedsole	Craft	Phillips	Smith (Lawrence)
Briscoe	Espy	Prestwood	Tally
Butler	Griffith	Rogers (Lauderdale)	West
Carlton	Gunter	Rogers (Sumter)	

—23.

BILL RECOMMITTED.

On motion of Mr. Briscoe, the bill:

S. 761. To require every State official, or official holding office under the authority of the State, and who is paid a salary or receives pecuniary profit for his services as such official, and whose office or post of duty is located in the capitol building or in the city of Montgomery, to reside or live in or sufficiently near to the city of Montgomery as that such office or post of duty shall be reasonably accessible to him daily, and to provide for the im-

peachment or removal of such official on failure to comply with the requirements of this act.

Was re-committed to the Standing Committee on Judiciary.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has amended as therein shown and as amended has passed:

S. 288. To amend an act entitled an act to designate certain public roads of the State of Alabama, as State trunk roads, and to provide the manner in which such roads shall be located, improved and maintained.

S. 346. To authorize sheriffs of counties having a population of not less than 30,815 nor more than 30,915, according to the Federal census of 1910, to employ jailors, and to prescribe their duties and fix their salaries.

S. 262. To provide for the payment of expenses for automobiles for the use of sheriffs in the discharge of their duties as such, in counties of not less than 30,815, nor more than 30,915 population according to the Federal census of 1910, or according to any subsequent Federal census.

S. 508. To authorize and empower cities and towns of the State of Alabama having any streets paved with other material than macadam, when deemed necessary by the governing bodies of such cities and towns, to resurface or add to the surface of such paving without removing the entire wearing surface of the existing pavement; and to assess the cost thereof against the abutting property.

S. 395. To change the amount, or fix the amount, of the salary or compensation to be paid to the county treasurer of any county of the State, having a population of eighty thousand or over according to the last or any succeeding Federal census; to provide the method and manner of its payment; and to repeal all laws or parts of laws, general, local, or special, in conflict with this act.

S. 271. To provide for notice to the plaintiff of the filing of pleas of set-off, recoupment or any other plea upon which a judgment by default may be taken, and to regulate the taking of judgments by default on such pleas.

And returns same to the Senate.

Fred H. Gormley,
Clerk.

HOUSE MESSAGE.

On motion of Mr. Baker, the Senate concurred in the following amendment by the House to Senate bill No. 288, the title of

which is set out in the foregoing message from the House, to-wit:

Amend Senate bill No. 288 by describing the route of trunk road number 10, so as to read as follows:

"Road Number 10. That certain road described as beginning at Columbia, Alabama, extending to Ozark, Brundidge, Troy, Orion, Pine Level, Montgomery, Wetumpka, Equality, Nixburg and Good-water.

Yeas, 23; Nays, 0.

Yeas:

Messrs:

Baker	Craft	Leith	Sims
Beale	Espy	Miller	Smith (Coosa)
Bedsole	Evins	Morris	Smith (Lawrence)
Briscoe	Gunter	McDowell	Tally
Carlton	Harper	Nance	West
Carmichael	Kelly	Prestwood	

—23

Nays:—None.

On motion of Mr. Baker the Senate concurred in the following amendment by the House to Senate bill No. 346, the title of which is set out in the foregoing message from the House, to-wit:

Amend by adding after the words "the Federal census of 1910," the following: "Or any subsequent Federal census." •

Yeas, 22; Nays, 0.

Yeas:

Messrs:

Baker	Carlton	Gunter	Prestwood
Beale	Carmichael	Kelly	Rogers (Sumter)
Bedsole	Cowan	Miller	Smith (Coosa)
Briscoe	Craft	Morris	Tally
Brown	Espy	Nance	West
Butler	Evins		

—22

Nays:—None.

And on motion of Mr. Baker, the Senate concurred in the following amendment by the House to Senate bill No. 262, the title of which is set out in the foregoing message from the House, to-wit:

Amend by adding after the words "the Federal census of 1910," the following: "or by any subsequent Federal census."

Yeas, 20; Nays, 0.

Yeas:

Messrs:

Baker	Bedsole	Caffey	Craft
Beale	Brown	Carmichael	Evins

Gunter	Morris	Rogers (Lauderdale)	Smith (Lawrence)
Kelly	Nance	Rogers (Sumter)	Tally
Miller	Prestwood	Smith (Coosa)	West

—20

Nays:—None.

On motion of Mr. West, the consideration of Senate bill No. 508 the title of which is set out in the foregoing message from the House, and the House amendment thereto, was deferred.

On motion of Mr. Craft the Senate concurred in the following amendment by the House to Senate bill No. 395, the title of which is set out in the foregoing message from the House, to-wit:

1st. Amend title by inserting in title after the words "or over" the words "but not exceeding one hundred and fifty thousand."

2nd. After the words "or over" in first section, insert the words "but not exceeding one hundred and fifty thousand."

Yeas, 23; Nays, 0.

Yeas:

Messrs:

Acker	Butler	Evins	Prestwood
Baker	Caffey	Gunter	Rogers (Sumter)
Beale	Carlton	Kelly	Smith (Coosa)
Bedsole	Carmichael	Miller	Tally
Briscoe	Craft	Morris	West
Brown	Espy	Nance	

—23

Nays:—None.

On motion of Mr. Evins the Senate concurred in the following amendment by the House to Senate bill No. 271, the title of which is set out in the foregoing message from the House, to-wit:

Amend said bill by adding thereto section 4 which reads as follows: Section 4. The clerk for issuing a copy of the pleas mentioned in this act shall receive fifteen cents (15c) for each 100 words and the sheriff for his services shall receive the sum of sixty-five cents (65c) for the service of each of said copies. And the fees provided for in this section shall be taxed as other costs in the case.

Yeas, 22; Nays, 0.

Yeas:

Messrs:

Acker	Caffey	Gunter	Prestwood
Baker	Carlton	Kelly	Rogers (Sumter)
Beale	Carmichael	Miller	Smith (Coosa)
Bedsole	Cowan	Morris	Tally
Briscoe	Ellis	Nance	West
Butler	Evins		

—22

Nays:—None.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill:

S. 470. To provide a complete educational system for the State of Alabama; to provide a public school fund; to provide for the administration of the public schools and create a State board of education and prescribe its powers and duties; to create county and city boards of education, to define their respective powers and duties, to provide for the payment of their necessary expenses and equipment, including furniture; to provide for the holding of elections for the one mill county tax on each dollar of taxable property under the Constitution of 1901; to provide for the holding of elections for the county tax of three mills or less on each dollar of taxable property under the amendment to the Constitution of 1901; to provide for the holding of elections for the district tax of three mills or less on each dollar of taxable property, and to prescribe the method of holding such elections; to prescribe the duties and powers of the State superintendent of education and to fix his compensation; to provide for the organization of the State department of education; to provide for the appointment of county superintendents of education, to define their duties and powers and to provide for their compensation; to provide for boards of school trustees; to provide for the appointment of city superintendents of education, to define their duties and powers, and to provide for their compensation; to provide for supervisors of schools in the various counties and cities, to fix their duties and powers, and provide for their compensation; to provide for the use of a bonus fund for counties levying and collecting a special county tax for school purposes, and to fix the amount in accordance with the rate of such special tax; to provide for a county treasurer of school funds; to provide for compulsory attendance upon the schools of the State within certain ages, to fix penalties, to provide for the appointment of attendance officers and to define their duties and fix their compensation and to provide the method of enforcing compulsory attendance within the ages prescribed; to provide for the certification of teachers, and to provide for the use of appropriations for the issuance of certificates and for the conduct of teachers' institutes, for the training of teachers in service, and provide the necessary clerical and other assistants; to provide financial assistance for the erection, repair and equipment of rural school-houses, and to prescribe the conditions under which such assistance may be obtained; to provide for the sale and conveyance of certain lands that have been conveyed to the State for school

purposes; to provide for rural libraries throughout the State, including the method by which assistance may be obtained; to provide for vocational education and for the use of appropriations therefor; to provide for the removal of illiteracy among adults as well as among minors, and for the use of appropriations therefor; to provide uniform textbooks throughout the State and to authorize the creation of a State textbook committee and to define its powers and duties; to provide for county high schools and prescribe the conditions under which such county high schools may obtain assistance from the State, and to authorize such county high schools to receive financial assistance from county boards of revenue, boards of education, school districts or private sources; to provide for county high school treasurers, to fix their bonds and prescribe their powers and duties and to provide for the payment of the premiums upon their bonds; to provide for county treasurers of school funds, to fix their bonds and prescribe their powers and duties and to provide for the payment of the premiums upon their bonds; to provide for changing the name of the nine branch agricultural schools and experiment stations, or district agricultural schools, and of the Northeast Alabama Agricultural and Industrial Institute to State secondary agricultural schools, to provide for their management and control and for their continuance upon the meeting of certain requirements and for the use of appropriations therefor; to provide for certain State normal schools and for their control and management and for the use of appropriations therefor; to provide for the creation of the Alabama School of Trades and Industry and for its control and management; to provide for changing the name of the Agricultural and Mechanical College for Negroes to Agricultural and Mechanical Institute for Negroes, and to provide for its management and control and for the use of appropriations therefor; to provide for changing the name of the school heretofore established at Montevallo as the Alabama Girls' Industrial School, later called the Alabama Girls' Technical Institute, to the name of the Alabama Technical Institute and College for Women; to create a board of trustees for such institute, to prescribe their powers and duties, their method of appointment, and length of service, and for the use of appropriations therefor; to provide for the management and control of the Alabama Polytechnic Institute, to define the powers and duties of the board of trustees, the method of appointment of such trustees, and for the use of appropriations to said institute; to provide for the management and control of the University of Alabama, to define the duties and powers of the trustees, the method of appointment of such trustees, and for the use of appropria-

tions to the University; to provide for a summer school at the University of Alabama and for the use of appropriations therefor; to create a State council of education and to prescribe its powers and duties; to provide for the management and control of the Alabama institute for the deaf; of the Alabama academy for the blind, and of the Alabama school for negro deaf and blind, to create a board of trustees therefor and to provide for the method of their appointment and the length of service and for the use of appropriations therefor; to provide for the establishment and maintenance of the Alabama Boys' Industrial School, to provide for the management and control thereof, and for the appointment of a board of directors, to define their powers and duties and the method of committing boys thereto, and for the use of appropriations therefor; to provide for the maintenance and establishment of the Alabama School for Juvenile Negro Lawbreakers; to provide for the management and control thereof, and for the appointment of a board of directors, to define their powers and duties, and for the method of committing boys thereto, and for the use of appropriations for such school; to provide for the lease and sale of school lands in the State; to make certain requirements with reference to the bonds of officials and employees authorized under the provisions of this act; to require county and city boards of education to give regular instruction in all schools under their direction as to the nature of alcoholic drinks, tobacco and other narcotics; to require private, denominational and parochial schools to make reports; to provide penalties for the violation of the provisions of this act and to provide for the repeal of inconsistent laws enacted hereafter.

And returns same herewith to the Senate.

Fred H. Gormley,
Clerk.

HOUSE MESSAGE.

On motion of Mr. Carmichael, the Senate concurred in the following amendment by the House to Senate bill No. 470, the title of which is set out in the foregoing message from the House, to-wit:

HOUSE AMENDMENT TO S. 470.

Amend section 1 of article 3 of the bill as amended by inserting between the words "him" and "and" where they occur in line 2 of said section the following: "no two of whom shall reside in the same congressional district.

Amend section 9 of article 3 by striking out the following words in lines 9, 10, 11 and 12, "No individual, public or private

educational association or institution shall offer a course or courses for the training of public school teachers, which do not meet minimum standards prescribed by the State board of education for teacher training courses and insert in lieu thereof the following: "No diploma shall be accepted from any normal school, college or university which does not meet minimum standards prescribed by the State board of education for teacher training courses.

Amend section 12 of article 4 by inserting immediately after the word schools (in line 9) the following: "but such rules and regulations shall not be inconsistent with the provisions of this act or any other statute of this State."

Amend by adding at the end of section 12 of article 4 the following: Provided, however, no person within the school age shall be denied admission to any elementary public school of this State, but shall be admitted, and shall be permitted to take any advanced studies, which he is qualified to study, and which the teacher is qualified to teach, notwithstanding anything heretofore prescribed, or that may hereafter be prescribed, or enacted, in this act.

Amend section 19 by striking out the words "after consultation with" and insert "by request of."

Amend by adding to article 5, section 10, the following: But no schools shall be consolidated, by consolidating two or more separate schools located in separate school districts, without consent of said separate school district trustees.

Amend section 18, article 5, by adding at the end of said section, the following: Such statement must show the total amount of school funds received by the county and the sources from which derived; the amount expended for teachers salaries in each of the several school districts of the county and the amount paid out of the school funds for any other purpose than teachers' salaries must be shown and shall include the name of the person to whom paid, the amount of each of such items and the purpose for which said amounts were expended.

Amend section 20 of article 5, by adding at the end of said section the following: But it shall be unlawful for any school officer or teacher to exclude from school any pupil who is qualified to take any course of study, which the teacher is qualified to teach, when the pupil lives more than three miles from a high school or junior high school, unless conveyance is provided at public expense for the transportation of said child. And until the county board of education in any county shall have established a system of junior high schools within the reach of all the children of the county or has provided transportation at public

expense for the children who shall attend such schools, every one teacher school must teach at least seven grades; every two teacher school eight grades, and every school having three or more teachers shall teach at least nine grades.

Amend section 28, article 5, by striking out the words "actual value" and insert the words "insurable value."

Add section 21½ to article 6, which shall read as follows: "The county superintendent of education shall publish annually in the county newspaper at the county seat of each county a full and complete itemized statement of the receipts and disbursements of the county at the same time he forwards same to the State superintendent of education."

Amend section 20 of article 6, by striking out the following words, "And no part of the traveling expenses of the county superintendent of education or his assistants incurred in the performance of their official duties shall be included as a part of their annual salary."

Amend article 7 by striking out section 3 and inserting the following: "The board of school trustees shall have the authority to recommend principals and teachers for the school in their district but in case such recommendations are not made sixty days before the day appointed for the school in any district to open, then the county board of education may elect principals and teachers upon the written recommendation of the county superintendent."

Amend section 11 of article 7, by striking out (of line 11) the following words "with the approval of the county board of education."

Amend section 1 of article 8, by striking out the following words, "which is levying a three mill district tax for school purposes as provided in article 12 of this act."

Amend by striking out section 5, article 7, and by inserting in lieu thereof: The county boards of education, the city boards of education, the district school trustees shall not have the power to compel or require the payments of an incidental fee in order for any pupil to enter any public school in this State.

Amend section 2 of article 8, by adding at the conclusion thereof the following:

"Provided, that in any city having a population of more than one hundred and twenty-five thousand inhabitants according to the last, or any succeeding Federal census, said board of education shall consist of five members, who shall be elected by the qualified electors of such city in the manner following: At the next general election of State and county officers in November, 1920, five members of said board shall be elected. The two mem-

bers receiving the highest number of votes at said election shall hold office for the term of six years; the two members receiving the next highest number of votes shall hold office for the term of four years, and the member receiving the lowest number of votes shall hold office for the term of two years, and biennially thereafter, at each general election a member or members of said city board of education shall be elected by the qualified electors of said city, whose term of office shall be six years."

Amend section 5 of article 8 by striking the word "shall" out of line 21 (printed bill) and inserting the word "may."

Amend section 22 of article 8 by adding at the end of said section the following:

Such statement must show the total amount of school funds received by the city and the sources from which derived, the amount expended for teachers salaries in each school and the amount paid out of the school funds for any other purpose than teachers salaries must be shown and shall include the name of the person to whom paid, the amount of each of such items and the purpose for which said amounts were expended.

Amend section 23 of article 8 of the bill by striking out all of the first sentence of said section ending with the word "life" and inserting in lieu thereof the following:

Section 23. The provision of this act shall not apply to the cities in counties now having by law a city and county school system operated under a single board of education, nor to the method of electing the members of the board of education in any city where the members of the board hold office for life.

Amend section 3 of article 2 by striking out the words and figures: "cities of two thousand (2,000) or more inhabitants" and inserting in lieu thereof the words and figures: cities and towns of one thousand (1,000) or more inhabitants."

Amend section 1 of article 9 by striking out all of said section down to and including the words "shall direct" in line 25 (printed bill) and insert the following: "The board of education may appoint a city superintendent of schools for a term of not more than (5) years. The city superintendent shall receive such compensation as the board of education shall direct."

Amend section 6 of article 12 by adding at the end of said section the following:

And in all elections hereafter held if the specific purposes for which said tax, when levied shall be used is printed on the ballots to be used in said election, it shall be unlawful for the county board of education to apply it to any other purpose.

Amend section 7 of article 12 of the bill by inserting between the words "issue" and "school" where they occur in line 13, page 57, of the printed bill the following: "And sell."

Section 2, article 16, page 67, line 10 (printed bill) after State of Alabama add, "or operating under charter granted by it."

Amend section 12 of article 16 by inserting immediately after the word "county" where it last appears in line 12 (printed bill) the following, "except the county of his residence."

Amend section 2 of article 18 as amended by inserting between the words "part" and "of" where they occur in the amendment the following: "of the fund for the erection, repair, and equipment."

Amend section 29 of article 23 of the bill by striking out the words "at Montgomery," where they occur in said section immediately following the word "State superintendent of education," in said section.

Amend section 3 by striking out \$1,000.00 and insert \$1,500.00. Also strike out the words "twice the" and insert the words, "an equal."

Amend section 3 of article 25 so as to read as follows, to-wit:

The ten schools mentioned in section one of this article shall on and after October 1, 1920, be known as State secondary agricultural schools and shall receive an annual appropriation of \$7,500.00 each as provided in section 2 of this article. The people in the ten districts where said schools are located shall erect a dormitory in each of said districts within three years from January 1st, 1920, on a site acceptable to the State board of education which shall be presented to the State for the use of said school, free of all incumbrances. The said dormitory to conform to the plans and specifications approved by the State department of education; and any county board of revenue, court of county commissioners, city or town council or commission, is hereby authorized to appropriate funds for the erection of said dormitory as provided in this act.

Amend by adding the following section on page 103, (printed bill) viz:

Section 7. It shall be the duty of the president of each of such normal schools at the end of each session or in a reasonable time thereafter, to publish once a week for three successive weeks in a newspaper published in the county where such school is located an itemized statement showing receipts, expenditures and disbursement of such school of which he is president.

Amend section 2, article 26, by inserting after the words Daphne, Baldwin county, the words, "and Moundville, Hale county."

Amend article 29, section 12 by striking out everywhere in that article after the word "institution" in line 17 (printed bill).

Amend article 15 by adding an additional section at the end thereof, page 66 of the printed bill, as follows:

"Section 15. In all public schools conducted under this act, twenty days, with five days each week, shall constitute a school month, and a school day shall be not less than six hours of actual teaching, exclusive of all recess or intermission periods."

Yeas, 30; Nays, 2.

Yeas:

Messrs:

Acker	Carmichael	Huddleston	Rogers (Lauderdale)
Baker	Cowan	Kelly	Rogers (Sumter)
Bedsole	Craft	Miller	Sims
Briscoe	Espy	Morris	Smith (Coosa)
Brown	Evins	Nance	Smith (Lawrence)
Butler	Griffith	Phillips	Tally
Caffey	Gunter	Prestwood	West
Carlton	Harper		

—30

Nays:

Messrs:

Leith McDowell

—2

MESSAGE FROM THE HOUSE.

Mr. President:

The House has originated and adopted the following House joint resolution:

By Mr. Cobbs:

H. J. R. 368. A clerical error in enrolled Senate bill No. 280, needing correction,

Resolved by the House, the Senate concurring, that the governor is requested to return said bill, and that the signatures of the presiding officers be erased therefrom, in order to correct said error.

And sends same herewith to the Senate.

Fred H. Gormley,
Clerk.

HOUSE MESSAGE.

On motion of Mr. Craft, the Senate concurred in H. J. R. 368, set out in the foregoing message from the House, and the President of the Senate, in the presence of the Senate, erased his signature from said S. 280.

MESSAGE FROM THE GOVERNOR.

September 17, 1919.

In Re. S. 412.

To the Gentlemen of the Senate:

I am herewith returning Senate bill No. 412 without my approval, and will approve the same if amended by substituting the words five thousand,

one hundred dollars (\$5,100.00) for the words four thousand, five hundred dollars (\$4,500.00), and the words three thousand, six hundred dollars (\$3,600.00) for the words three thousand dollars (\$3,000.00) where they occur in said bill, so that section 4 should read as follows, namely:

Section 4. That in all circuits of the State of Alabama, which are now, or which may hereafter be composed of only one county, and having two judges, each of said judges shall receive a salary of five thousand, one hundred dollars (\$5,100.00) per annum. Three thousand, six hundred dollars (\$3,600.00) of the salary of each of such judges shall be paid out of the State treasury in the manner now or hereafter provided by law, and fifteen hundred dollars (\$1,500.00) of the salary of each of such judges shall be paid out of the county treasury of the county constituting such circuit, in twelve equal monthly installments upon the warrant of the president of the board of revenue of such county. The circuit solicitor of such circuits shall receive a salary of four thousand, two hundred dollars (\$4,200.00) per annum, two thousand, four hundred dollars (\$2,400.00) of which salary shall be paid out of the State treasury in the manner now or hereafter provided by law, and one thousand, eight hundred dollars (\$1,800.00) of which salary shall be paid out of the county treasury of the county constituting such circuit, in twelve equal monthly installments upon the warrant of the president of the board of revenue of such county.

Provided that nothing contained in this act shall apply to any county having more than five circuit judges.

Respectfully,
Thos. E. Kilby,
Governor.

GOVERNOR'S MESSAGE.

On motion of Mr. Gunter, the Senate concurred in and adopted the amendment proposed by his excellency, the governor, to the bill:

S. 412. To amend section 4 of "An act to fix the compensation of circuit judges, circuit solicitors, and assistant solicitors in all circuits of the State of Alabama which circuits are composed of only one county and having two or more judges, or which circuits may hereafter have two or more judges, and to provide that a portion of such salaries be paid out of the county treasury of the counties constituting the respective circuits.

Said amendment being set out in the foregoing message from the governor.

Yeas, 23; Nays, 1.

Yeas:

Messrs:

Acker
Baker
Beale
Bedsole
Briscoe
Brown

Caffey
Carmichael
Cowan
Craft
Evins
Griffith

Gunter
Harper
Huddleston
Morris
Nance
Phillips

Prestwood
Rogers (Lauderdale)
Smith (Lawrence)
Tally
West

—23

Nays:

Mr. Leith—1.

Which was a majority of the whole number elected to the Senate.

MESSAGE FROM THE GOVERNOR.

September 19, 1919.

Gentlemen of the Senate:

I herewith return, without my approval, Senate bill No. 497. I shall approve the same, however, if the following amendment is enacted: amend the title and body of the act by adding next after the words "Federal census of 1910" wherever they occur, the words "or any subsequent Federal census."

Respectfully,
Thos. E. Kilby,
Governor.

GOVERNOR'S MESSAGE.

On motion of Mr. Craft, the Senate concurred in and adopted the amendment proposed by his excellency, the governor, to the bill:

S. 497. To provide for the election of county road engineers in counties having a population of not less than eighty nor more than eighty two thousand, according to the Federal census of 1910, and to fix their duties and compensation; and to make the county solicitor or his assistant the legal advisor for the county board of revenue and the county road engineer.

Said amendment being set out in the foregoing message from the governor.

Yeas, 20; Nays, 0.

Yeas:

Messrs:

Acker	Carmichael	Morris	Sims
Briscoe	Espy	McDowell	Smith (Coosa)
Brown	Griffith	Prestwood	Smith (Lawrence)
Butler	Harper	Rogers (Lauderdale)	Tally
Carlton	Kelly	Rogers (Sumter)	West

—20

Nays:—None.

Which was a majority of the whole number elected to the Senate.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has concurred in and adopted S. J. R. 150 by Mr. Carmichael relative to the sessions of the House and Senate of next week and taking final adjournment on Saturday, September 27th.

And returns same herewith to the Senate.

Fred H. Gormley,
Clerk.

MOTION TO TAKE FROM ADVERSE CALENDAR.

Pursuant to notice heretofore given Mr. Prestwood moved to take from the adverse calendar, have same read a second time and placed on the regular calendar, the bill:

H. 354. To repeal section 2069 of the Code of Alabama of 1907.

Mr. Carmichael moved to table the motion of Mr. Prestwood, which motion prevailed and said motion was laid on the table.

Yeas, 22; Nays, 10.

Yeas:

Messrs:

Acker	Butler	Espy	McDowell
Baker	Caffey	Evins	Rogers (Lauderdale)
Beale	Carlton	Griffith	Sims
Bedsole	Carmichael	Kelly	Smith (Lawrence)
Briscoe	Cowan	Miller	Tally
Brown	Craft		

—22

Nays:

Messrs:

Gunter	Leith	Phillips	Rogers (Sumter)
Harper	Morris	Prestwood	West
Huddleston	Nance		

—10

PAIR ANNOUNCED.

Mr. Smith of Coosa announced that he and Mr. Ellis were paired on this vote; that Mr. Ellis, if present, would vote yea and he, Mr. Smith would vote nay.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has originated and passed the following bills:

H. 1078. To provide for the relief of B. Ivey Burt, and to make an appropriation therefor.

(With notice and proof attached hereto and exhibited as follows, and sends same forthwith without engrossment:)

State of Alabama, }
Russell County. }

Before me, Mildred Minter, a notary public for Russell county, Alabama, personally appeared W. H. Chadwick, who being by me first duly sworn, deposes and says that the notice hereto attached was published for 30 days in the Russell Register, a weekly newspaper, published in Russell county, Alabama, and of which he is one of the editors and is the publisher. That said notice was published in said paper in the issues thereof of date July 25th, August 1st, August 8th, August 15th, and August 22nd, 1919, respectively, and that said notice was published in said paper for a period of thirty days preceding this date and that the same is as follows:

NOTICE OF SPECIAL LAW.

Notice is hereby given that the following special law will be introduced for passage at the present session of the Legislature of Alabama, viz.:

AN ACT

To provide for the relief of B. Ivey Burt and to make an appropriation therefor.

Whereas B. Ivey Burt served, as constable, all of the process from the justice of the peace court of Russell county, Alabama, in the search and seizure proceedings instituted in said county by the attorney general of Alabama, beginning in the month of May, 1916, and

Whereas, the amount of fees earned by the said B. Ivey Burt, and the amount of expense incurred by him as such constable in rendering said service amounted to \$530.59, and

Whereas, the attorney general of the State of Alabama, promised the said B. Ivey Burt to pay said fees and expenses out of his contingent funds, and

Whereas, the attorney general was unable to pay said sum because of the lack of funds in his hands, therefore,

Be it enacted by the Legislature of Alabama:

Section 1. That the State auditor be, and he is hereby required to draw his warrant on the State treasurer for the sum of \$530.59, payable to the said B. Ivey Burt, and payable out of any funds not otherwise appropriated.

Section 2. That it shall be the duty of the State treasurer to pay said warrant out of any money in the treasury not otherwise appropriated.

Dated this the 17th day of July, 1919.

B. Ivey Burt.

W. H. Chadwick.

Sworn to and subscribed before me this the 3rd day of September, 1919.
(Seal)

Mildred Minter,

Notary Public, Russell County, Alabama.

Fred H. Gormley,

Clerk.

HOUSE MESSAGE.

The House bill in the foregoing House message was read once and referred to appropriate standing committee as follows:

H. 1078, to the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has originated and passed the following bills:

H. 80. To provide for jury commissioners for the various counties of this State, define their duties and fix their compensation.

Also:

H. 202. To amend section 5888 of the Code of Alabama, 1907. (Relates to the time of holding elections for stock law districts.)

Also:

H. 307. For the relief of Watt T. Brown for amount paid to the State for lands purchased by it at tax sale when at the time of the assessment of such lands for such taxes it was not the property of the person to whom it was assessed.

Also:

H. 380. To regulate the taking of non-suits in suits at law in all the courts of the State of Alabama.

Also:

H. 418. To amend section 5 of an act entitled "An act to establish and provide for State-wide eradication of the cattle fever tick (*margaropus annulatus*) and any other tick that shall be found to carry a disease-producing infection to cattle or any other domestic animals," approved February 7, 1919.

Also:

H. 523. To provide for holding district and county fairs for boys' agricultural and girls' home demonstration clubs; to prescribe the manner in which they shall be held; to create boards of directors for district and county fairs for boys' agricultural and girls' home demonstration clubs in each county; to create fair districts for boys' agricultural and girls' home demonstration clubs in each county; to create fair district committees for boys' agricultural and girls' home demonstration clubs in each county; to provide for holding meetings of instruction for members of the boys' agricultural and girls' home demonstration clubs; to make appropriations for such fairs and to prescribe methods for drawing and spending same.

Also:

H. 524. For the relief of Honor McNicholas, John Muldowney, Mary Muldowney Walsh, Martin J. Muldowney, Andrew George Muldowney and Nora Muldowney OHara.

Also:

H. 540. To provide bathing facilities for coal miners in this State.

Also:

H. 591. To regulate the office of tax assessor in all counties of the State of Alabama which has a population of as much as 33,781 and not more than 33,800 according to the last Federal census and fix the compensation of such tax assessors and to provide for the payment thereof.

Also:

H. 600. Regulating the fine and forfeiture fund of Coffee county and providing for payment and retirement of claims against said fund.

Also:

H. 727. To make an appropriation for certain fencing required for the Confederate soldiers' home at or near Mountain Creek.

Also:

H. 750. To designate a part of the Alabama State trunk highway, beginning on the Mississippi state line, where the Amory and Smithville road crossed the state line, thence across the State of Alabama to the city of Attalla, intersecting the highway to Gadsden, Rome, Georgia, and Cedartown, Georgia, as a State trunk highway, and to provide that the said State trunk highway, created by the provisions of this act, shall receive such benefits as other State trunk highways heretofore established.

Also:

H. 965. To amend an act to designate certain public roads of the State of Alabama as State trunk roads and to provide the manner in which such roads shall be located, improved and maintained, enacted by the Legislature of Alabama, approved September 10th, 1915.

Also:

H. 686. To establish and provide for a general manager of county affairs in all counties in the State that have as much as 100,000 population according to any past or future Federal census; to define his powers, jurisdiction and duties and to provide for the adequate discharge of the same; to fix his compensation, and provide for his election and appointment.

Also:

H. 1028. To provide for elections, to be held at the time of holding general elections in this State in all counties in which local county stock laws are now in force, having not less than 30,815 nor more than 30,915 population, either by the Federal census of 1910, or by any subsequent census to ascertain whether a majority of the qualified electors of such counties desire or favor a modification of said local stock law.

Also:

H. 1040. To authorize and direct the sheriffs of all counties having a population of not less than 26,940 nor more than 27,000 according to the last Federal census or any subsequent census, to employ a janitor to keep the jail and grounds of said jails in a cleanly and sanitary condition; and to authorize and direct the boards of revenue or commissioners courts of said counties to pay the monthly salaries of said janitors by warrants issued therefor by the said boards of revenue or like governing bodies.

Also:

H. 1057. To appropriate \$186.08 to be paid to Montgomery Fair, a corporation, in payment of debts due said corporation by the State of Alabama, for supplies, contracted prior to January

1, 1915, by the following departments, for the following amounts: Convict department, \$7.20; department of agriculture, \$7.96; department of immigration, \$9.00; court of appeals, \$30.17; maintenance department, \$131.75.

Also:

H. 1122. To limit the number of days for which members of the court of county commissioners of any county, whose population by the last Federal census was over 30,800 and under 30,815, may be paid for services as members of said court, for mileage in going to and from said court, for their services rendered in the discharge of their duties in letting out, inspecting and accepting, building or repairing of any county bridges or county buildings or works, and mileage necessarily traveled by them in so doing, during any one year or part of a year; and to repeal all laws and parts of laws in conflict with the provisions of this act in so far as counties whose population by the last Federal census was over 30,800 and under 30,815 are concerned.

And sends same herewith to the Senate without engrossment.

Fred H. Gormley,
Clerk.

HOUSE MESSAGE.

The House bills in the foregoing House message were severally read once and referred to appropriate standing committees as follows:

H. 80, H. 380, to the Committee on Judiciary.

H. 202, H. 1028, to the Committee on Privileges and Elections.

H. 307, H. 523, H. 524, H. 727, H. 1057, H. 1122, to the Committee on Finance and Taxation.

H. 418, to the Committee on Agriculture.

H. 540, to the Committee on Mining and Manufacturing.

H. 591, H. 600, to the Committee on Local Legislation.

H. 750, H. 965, to the Committee on Public Roads and Highways.

H. 686, H. 1040, to the Committee on Revision of Laws.

RECESS.

On motion of Mr. Phillips, the Senate at 1 o'clock P. M., took a recess until 2 o'clock this afternoon.

AFTERNOON SESSION—FORTY-SEVENTH DAY.

Friday, September 19, 1919.

The Senate re-assembled at 2 o'clock P. M., Lieutenant Governor Miller presiding.

ROLL CALL.

On a call of the roll, 34 members answered to their names, a quorum of the Senate.

Mr. Acker, chairman of the Standing Committee on Judiciary, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Briscoe:

S. 761. To require every State official, or official holding office under the authority of the State, and who is paid a salary or receives pecuniary profit for his services as such official, and whose office or post of duty is located in the capitol building or in the city of Montgomery, to reside or live in or sufficiently near to the city of Montgomery as that such office or post of duty shall be reasonably accessible to him daily, and to provide for the impeachment or removal of such official on failure to comply with the requirements of this act.

Mr. Butler, chairman of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Reynolds (with amendment):

H. 762. To fix the salary of the judge of the county court in all counties having a population of not less than twenty-three thousand one hundred and fifty (23,150) and not more than twenty-three thousand two hundred and fifty (23,250) according to the Federal census of 1910 and provide for the payment of the same.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has nonconcurrent in the Senate amendment to the bill:

H. 555. To divide the State into judicial circuits for the circuit court, to be numbered and composed of the counties named.

And requests a committee of conference, and the Speaker has named as conferees on part of the House, Messrs. Lynne, Hare and Long of Butler.

Fred H. Gormley,
Clerk.

HOUSE MESSAGE.

On motion of Mr. Craft, the Senate accedes to the request of the House for a committee of conference on the disagreement of the two houses on the Senate amendments to H. 555, the title of which is set out in the foregoing message from the House, and the President of the Senate appointed as conferees on the part of the Senate, Messrs. Acker, Prestwood and Carmichael.

BILLS ON THIRD READING RESUMED.

The bill:

S. 410. To propose and submit to the qualified electors of the State of Alabama at the next general election to be held in and for said State a proposed amendment to the Constitution whereby the Legislature may make laws for the purpose of levying or collecting what is known as an inheritance tax on real and personal money, public and private securities of every kind in this State passing from any person who may die seized and possessed thereof, or of any part of such estate of any securities, or interest therein, transferred by the interstate laws of this State, or by will, deed, grant, bargain, sale or gift made or intended to take effect in possession after death of the grantor, deviser or donor and to exempt from such tax fifty thousand dollars.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 18; Nays, 11.

Yeas:

Messrs:

Acker
Beale
Bedsole
Briscoe
Brown

Butler
Caffey
Carmichael
Espy
Griffith

Kelly
Leith
Nance
Phillips

Sims
Smith (Coosa)
Smith (Lawrence)
West

—18

Nays:

Messrs:

Carlton
Craft
Evins

Gunter
Miller
Moore

Morris
McDowell
Prestwood

Rogers (Sumter)
Tally

—11

The bill:

S. 620. To repeal an act entitled, "An act to create a State board of control and economics and to provide members thereof,

their tenure in office, salaries, duties and mode of appointment, and to prescribe rules and regulations governing said board," approved February 13th, 1919.

Was read a third time at length and passed.

Yeas, 5; nays, 22.

Yeas:

Messrs:

Baker	Leith	Morris	McDowell	—5
Evins				

Nays:

Messrs:

Acker	Caffey	Harper	Rogers (Sumter)	—22
Beale	Carlton	Kelly	Sims	
Bedsole	Carmichael	Miller	Smith (Coosa)	
Briscoe	Cowan	Phillips	Tally	
Brown	Craft	Prestwood	West	
Butler	Espy			

The resolution:

S. J. R. 108. Relative to the re-organization and sitting during this Legislature of the recess committee on convicts and highways for the purpose of investigating certain convict camps.

Was read a third time at length and lost.

Yeas, 10; nays, 22.

Yeas:

Messrs:

Baker	Gunter	Moore	Smith (Lawrence)	—10
Evins	Huddleston	Rogers (Lauderdale)	West	
Griffith	Leith			

Nays:

Messrs:

Acker	Carlton	Miller	Prestwood	—22
Beale	Carmichael	Morris	Rogers (Sumter)	
Bedsole	Cowan	McDowell	Sims	
Briscoe	Espy	Nance	Smith (Coosa)	
Brown	Harper	Phillips	Tally	
Butler	Kelly			

On motion of Mr. Rogers of Sumter, the resolution:

S. J. R. 109. Relative to the printing and distribution of 200,000 copies of the evidence and data, minority and majority reports of the recess committee on "Convicts and Highways" and the governor's message.

Was laid on the table.

REPORT FROM RULES COMMITTEE.

Mr. Acker, chairman of the Standing Committee on Rules, reported that said committee, in session, had acted on the follow-

ing resolution and ordered same returned to the Senate with a favorable report, to-wit:

S. R. 149. Resolved, That on the forty-seventh legislative day only Senate bills shall be considered until all Senate bills have been disposed of and that debate on each bill, motion, or resolution, be limited to five minutes.

And on motion of Mr. Acker said report was concurred in and said resolution was, under a suspension of the rules, adopted by the Senate.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has originated and passed the following bills and ordered the same sent forthwith to the Senate without engrossment:

H. 491. To authorize and empower commissioners courts and boards of revenue or other like governing boards of each county in Alabama to make appropriations to pay premiums on live stock which may be exhibitd in live stock shows in said county.

Also:

H. 900. To confer additional powers, authority and jurisdiction on and to further prescribe the duties of the board of control and economy created by the act of the Legislature, approved February 13, 1919; to abolish the board of convict inspectors and the offices of the members and employees thereof and to confer upon the State board of control and economy all the power, authority and jurisdiction heretofore exercised by or under the authority of the State board of convict inspectors, and additional powers and authority, including authority and power to provide for the segregation, care, custody and treatment of tubercular persons; and to impose upon the board of control and economy all the duties heretofore required of the State board of convict inspectors and additional duties; to confer upon the board of control and economy general supervision and authority over the office of the State prison inspector who shall henceforth discharge the duties of his office in connection with and as part of the work of the State board of control and economy; to confer upon the board of control and economy certain duties and authority with reference to the purchasing and supplies of the public printing and binding, stationery, fuel and paper, and other powers and authority incident to the more efficient control and coordination of the business operation of the State; also providing for the necessary appropriation to pay all salaries, wages and other expenses and outlays authorized to be paid or incurred in this and the said original act of February 13, 1919.

Also:

H. 998. To provide for the establishment, change and discontinuance of public roads in this State.

Also:

H. 869. To amend section 3643 of the Code of Alabama 1907.

Also:

H. 870. To provide for and prescribe fees to be paid on the consolidation or merger of corporations.

Also:

H. 688. To provide for the organization of land owners, of any county, of districts within said county, for the purpose of building, improving and maintaining public roads in such districts, to confer the right of eminent domain to the extent necessary to carry out the purposes of this act, to provide for raising the funds by bond issue or otherwise, to pay the costs of building and maintaining such highways by assessment of the lands in said district in proportion to the benefits received by reason of such improvement.

Also:

H. 452. Authorizing a bank to pay the deposit of a deceased depositor to the widow, or husband, or heirs of the deceased, where the deposit does not exceed one thousand (\$1,000.00) dollars, after the lapse of sixty (60) days from the date of the death of the deceased.

Also:

H. 819. For the relief of A. P. White, Sr., ex-sheriff of Dale county, Alabama, for the paying the expense of a guard to the State of Florida for bringing back one Marvin Gissendannah, charged with assault with intent to murder in the circuit court of Dale county, Alabama, for which he was convicted and sent to the penitentiary for 15 years.

Also:

H. 219. To amend section two of an act entitled, "An act to regulate and prescribe the method of securing jury trials in civil causes at law, and in misdemeanors, and to prescribe how such causes shall be tried without intervention of a jury and reviewed, approved September 28, 1915."

Also:

H. 843. Relating to cold storage and refrigerating warehouses and places, and the sale or disposition of the food kept or preserved therein.

Also:

H. 849. To amend section 1313 of the Code of Alabama of 1907.

H. 691. To amend section 1, 2 and 3 of an act to amend sections 3264 and 3265 and repeal section 6647 of the Code of 1907, said act being approved September 22, 1915.

H. 785. To further regulate public gins and ginneries in this State.

H. 344. To amend section 3617 of the Code of Alabama of 1907.

H. 554. To provide for and regulate the making of reports to the chief justice of the Supreme Court by the clerks and registers of the circuit courts, the clerks of the county courts, the judges of probate and the clerks of the Supreme Court and the Court of Appeals, and to provide penalties for failure to comply with the provisions of this act.

Fred H. Gormley,
Clerk.

HOUSE MESSAGE.

The House bills in the foregoing House message were severally read once and referred to appropriate standing committees, as follows:

H. 491, H. 870, H. 819, H. 691. To the Committee on Finance and Taxation.

H. 900, H. 688, H. 219. To the Committee on Judiciary.

H. 998. To the Committee on Public Roads and Highways.

H. 869, H. 452. To the Committee on Banking and Insurance.

H. 843. To the Committee on Public Health.

H. 849, H. 344, H. 554. To the Committee on Revision of Laws.

H. 785. To the Committee on Agriculture.

LEAVE OF ABSENCE.

On motion of Mr. McDowell, indefinite leave of absence was granted Mr. Ellis on account of sickness.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has originated and adopted the following joint resolution:

By Mr. Lynne:

H. J. R. 375. Be it resolved by the House, the Senate concurring, That the governor be and he is hereby requested to re-

turn to the House H. 712 for the purpose of correcting clerical errors made by enrolling office.

And sends same herewith to the Senate.

Fred H. Gormley,
Clerk.

HOUSE MESSAGE.

H. J. R. 375, set out in the foregoing message from the House, was concurred in and adopted by the Senate. The President of the Senate, in the presence of the Senate, erased his signature from the bill.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has originated and passed the following bills and ordered same sent to the Senate without engrossment, as follows:

H. 577. To further prescribe the qualifications and duties of directors of banks and trust companies doing a banking business in this State.

Also:

H. 946. To authorize banks and trust companies doing a banking business to consolidate or merge with other such institutions or to transfer their places of business to other towns or cities, within this State, upon the approval of the superintendent of banks, and to prescribe the procedure.

Also:

H. 765. To amend section 1632 and 1636 of the Code of Alabama, 1907.

Also:

H. 347. To amend section 1188 of the Political Code of Alabama, 1907.

Also:

H. 898. To amend sections 2, 10, 11, 12, 13, and 17 of an act entitled, "An act to provide for and regulate the manufacture and sale of "commercial feeding stuffs" in Alabama; to further provide for registration, tagging, sampling and analyzing "commercial feeding stuffs" and to fix penalties for violations of this act," so as to regulate the sale of "commercial feeding stuffs;" to define the same and to prohibit the adulteration thereof, to provide for their correct weight, sampling, analyses, and marketing; to authorize the commissioner of agriculture and industries to prescribe rules and regulations for carrying out the provisions of this act; to establish in the department of agriculture and industries, a division of foods, feeds and drugs, to be charged with the execution of this act; to authorize the commissioner of agricul-

ture and industries to appoint an assistant as supervisor of said division, and to appoint other necessary clerical assistance; to provide for the payment of salaries and expenses out of the funds accruing hereunder; and to fix penalties for violation of this act.

Also:

H. 751. To further prohibit disturbances at churches, school houses, or at other public places. To prevent injuries to automobiles and other vehicles parked at such places.

H. 1035. To amend section 3793 of the Code of 1907.

Fred H. Gormley,
Clerk.

HOUSE MESSAGE.

The House bills in the foregoing House message were several-ly read once and referred to appropriate standing committees, as follows:

H. 577, H. 946. To the Committee on Banking and Insurance.

H. 765. To the Committee on Public Health.

H. 347. To the Committee on Municipalities and Municipal Organizations.

H. 898. To the Committee on Agriculture.

H. 751. To the Committee on Revision of Laws.

H. 1035. To the Committee on Judiciary.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has passed the following Senate bill:

S. 309. To provide for the establishment and maintenance of a home for mental inferiors in Alabama; to define who are mental inferiors; to provide for their care, treatment, and training, and to appropriate the money necessary therefor from the State treasury.

And returns same herewith to the Senate.

Fred H. Gormley,
Clerk.

REPORT FROM COMMITTEE ON REVISION OF THE JOURNAL.

Mr. Griffith, chairman of the Standing Committee on Revision of the Journal, begs leave to report that said committee, in session, had examined the Journal of the Senate for the forty-second, forty-third, forty-fourth, forty-fifth and forty-sixth legislative days and find same contains the proper entries in reference to each bill and resolution contained therein as required by the Constitution.

A. A. Griffith,
Chairman.

COMMITTEE REPORT.

On motion of Mr. Griffith, the foregoing report from the Committee on Revision of the Journal was adopted and the Journal of the forty-second, forty-third, forty-fourth, forty-fifth and forty-sixth days of the session was approved by the Senate.

UNFINISHED BUSINESS.

The Senate proceeded to consider the unfinished business of the last legislative day, which was:

H. 407. To provide for working convicts on the State trunk highways of the State of Alabama, under the supervision of the State highway department in co-operation with the State convict department; to authorize the removal of all able-bodied convicts from the lease system and place them on the trunk highways of the State; to make it unlawful to lease convicts to any person or corporation after the first day of January, 1923; to authorize and empower the State highway commission to purchase from the convict department or paid said convict department for the use or hire of said convicts at the current price for labor, to be determined by the governor; to authorize and require the convict department to make the necessary preparations for housing, caring for, guarding and incarcerating said convicts, by establishing permanent convict road camps in certain parts of the State of Alabama, and to provide such temporary or portable camps and equipment as may be necessary to successfully care for and maintain said convicts as may be worked on the public highways of this State.

Was read a third time at length and lost.

Yeas, 10; nays, 22.

Yeas:

Messrs:

Baker	Griffith	Leith	Morris
Brown	Harper	Moore	West
Craft	Huddleston		

—10

Nays:

Messrs:

Acker	Carlton	Kelly	Rogers (Sumter)
Beale	Carmichael	Miller	Sims
Bedsale	Cowan	McDowell	Smith (Coosa)
Briscoe	Espy	Phillips	Smith (Lawrence)
Butler	Evins	Prestwood	Tally
Caffey	Gunter		

—22

Fair: Mr. Ellis "yea" and Mr. Nance "nay."

The bill:

S. 614. To prohibit disconnecting or cutting loose of fences in certain cases and to make it a misdemeanor to do so.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 19; nays, 3.

Yeas:

Messrs:

Baker	Carlton	Gunter	Rogers (Sumter)
Beale	Cowan	Harper	Smith (Coosa)
Brown	Craft	Moore	Smith (Lawrence)
Butler	Espy	Phillips	West
Caffey	Evins	Rogers (Lauderdale)	

—19

Nays:

Messrs:

Bedsole	Huddleston	Morris	
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—3

The bill:

H. 793. To authorize the city of Fairfield, in Jefferson county, Alabama, to levy taxes on all real and personal property, and franchises in said city, for the year beginning January 1st, 1919, and ending December 31st, 1919, and for each year thereafter; to provide the rate of said taxation; and to fix the value of property for taxation in said city; to provide when said taxes shall fall due and how same shall be collected and to fix the date of each tax year.

Was read a third time at length and passed.

Yeas, 20; Nays, 0.

Yeas:

Messrs:

Acker	Carmichael	Miller	Rogers (Lauderdale)
Bedsole	Cowan	Morris	Rogers (Sumter)
Briscoe	Evins	McDowell	Sims
Brown	Griffith	Nance	Tally
Butler	Huddleston	Prestwood	West

—20

Nays:—None.

The bill:

H. 895. To provide for the payment of salaries by the county to circuit judges in circuits composed of only one county, and having more than three judges, in addition to the salary paid by the State.

Was read a third time at length and passed.

Yeas, 20; nays, 0.

Yeas:

Messrs:

Acker	Carmichael	Morris	Sims
Beale	Cowan	McDowell	Smith (Coosa)
Briscoe	Espy	Nance	Smith (Lawrence)
Brown	Griffith	Rogers (Lauderdale)	Tally
Butler	Kelly	Rogers (Sumter)	West

—20

Nays:—None.

The bill:

S. 613. To authorize the introduction of certain evidence in the trial of cases of homicide.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 22; *nays*, 7.

Yeas:

Messrs:

Baker	Carmichael	Kelly	Sims
Beale	Craft	McDowell	Smith (Coosa)
Bedsole	Espy	Nance	Smith (Lawrence)
Brown	Evins	Phillips	Tally
Butler	Gunter	Rogers (Sumter)	West
Carlton	Harper		

—22

Nays:

Messrs:

Acker	Caffey	Huddleston	Prestwood
Briscoe	Griffith	Miller	

—7

The bill:

H. 952. To amend an act approved September 10th, 1915, entitled, "An act to designate certain public roads of the State of Alabama as State trunk roads and to provide the manner in which such roads shall be located, improved and maintained," by adding an additional road thereto.

Was read a third time at length and passed.

Yeas, 20; *Nays*, 0.

Yeas:

Messrs:

Acker	Carmichael	Morris	Sims
Beale	Cowan	McDowell	Smith (Coosa)
Briscoe	Espy	Nance	Smith (Lawrence)
Brown	Griffith	Rogers (Lauderdale)	Tally
Butler	Kelly	Rogers (Sumter)	West

—20

Nays:—None.

The bill:

H. 995. To provide for the construction, care, maintenance, and improvement of the public roads of Franklin county; to pro-

vide funds, regulations, penalties, and officers to insure such constructions, care, maintenance and improvement; to provide a county superintendent of roads, prescribe his qualifications, method of selection, term of office, salary, duties, powers; to prescribe in general the records to be kept by said superintendent; to provide that the court of county revenue shall have full powers over the road system; to provide beat supervisors, sections, overseers, and other persons to carry out said work on the road system of the county; to prescribe the duties of individuals and corporations in regard to the enforcement of said road law.

Was read a third time at length and passed.

Yeas, 20; nays, 0.

Yeas:

Messrs:

Acker	Carmichael	Morris	Sims
Beale	Cowan	McDowell	Smith (Coosa)
Briscoe	Espy	Nance	Smith (Lawrence)
Brown	Griffith	Rogers (Lauderdale)	Tally
Butler	Kelly	Rogers (Sumter)	West

—20

Nays:—None.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has amended as therein shown and as amended has passed:

By Mr. Evins:

S. J. R. 126. Said amendment being as follows:

Whereas, both houses of the sixty-sixth Congress of the United States of America by a constitutional majority of two-thirds thereof made the following proposition to amend the Constitution of the United States of America, in the following words, to-wit:

ARTICLE

The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of sex.

Congress shall have power to enforce this article by appropriate legislation.

Therefore, be it resolved by the Legislature of the State of Alabama:

Section 1. That the said proposed amendment to the Constitution of the United States of America be, and the same is, hereby rejected by the Legislature of the State of Alabama.

Section 2. That certified copies of this preamble and joint resolution be forwarded forthwith by the governor of this State to the secretary of State at Washington, to the presiding officer of the United States Senate, and to the speaker of the House of Representatives of the United States.

And returns same herewith to the Senate.

Fred H. Gormley,
Clerk.

HOUSE MESSAGE.

On motion of Mr. Carmichael, the Senate concurred in the foregoing amendment by the House to Senate joint resolution No. 126, set out in the foregoing message from the House, and said amendment being also set out in the foregoing message from the House.

Yeas, 19; nays, 8.

Yeas:

Messrs:

Acker	Carmichael	Huddleston	McDowell
Baker	Cowan	Kelly	Prestwood
Butler	Espy	Miller	Rogers (Lauderdale)
Caffey	Evins	Moore	Sims
Carlton	Gunter	Morris	

—19

Nays:

Messrs:

Beale	Briscoe	Phillips	Smith (Lawrence)
Bedsole	Craft	Rogers (Sumter)	West

—8

PAIR ANNOUNCED.

Mr. Nance announced that he and Mr. Tally were paired on this vote; that if Mr. Tally were present he would vote "yea" and he, Mr. Nance would vote "nay."

SPECIAL ORDER.

The Senate proceeded to consider the special, paramount and continuing order on today's calendar, which was carried over from the forty-sixth legislative day, which was:

S. 466. To reapportion the representatives in the House of Representatives and in the Senate of the State of Alabama, in compliance with the requirements of the Constitution.

Mr. Prestwood offered the following substitute for said bill, to-wit:

SUBSTITUTE FOR SENATE BILL NO. 466:

A BILL

To be entitled an act to reapportion the representatives in the House of Representatives and in the Senate of the State of Alabama, in compliance with the requirements of the Constitution.

Be it enacted by the Legislature of Alabama:

Section 1. The House of Representatives of the Legislature shall consist of one hundred and six members, distributed among the several counties as follows:

The counties of Autauga, Baldwin, Bibb, Blount, Bullock, Butler, Cherokee, Chilton, Choctaw, Clay, Cleburne, Coffee, Conecuh, Coosa, Crenshaw, Cullman, Dale, DeKalb, Elmore, Escambia, Fayette, Franklin, Geneva, Greene, Hale, Henry Lamar, Lawrence, Limestone, Macon, Marion, Marshall, Monroe, Pickens, Randolph, Russell, Saint Clair, Shelby, Sumter, Washington and Winston, shall each elect one representative; the counties of Barbour, Calhoun, Chambers, Clarke, Colbert, Covington, Etowah, Houston, Jackson, Lauderdale, Lee, Lowndes, Madison, Marengo, Morgan, Perry, Pike, Talladega, Tallapoosa, Tuscaloosa, Walker, and Wilcox, shall elect each two representatives; the county of Dallas shall elect three representatives; the counties of Mobile and Montgomery shall elect each four representatives; and the county of Jefferson shall elect ten representatives.

Section 2. The Senate of the Legislature shall consist of thirty-five members, one to be elected from each senatorial district, and the State is divided into thirty-five senatorial districts, as follows:

First District, Lauderdale and Limestone; (2) Lawrence and Morgan; (3) Blount, Cullman and Winston; (4) Madison; (5) Jackson and Marshall; (6) Etowah and Saint Clair; (7) Calhoun; (8) Cleburne and Clay; (9) Talladega and Shelby; (10) Chambers and Randolph; (11) Tallapoosa and Coosa; (12) Tuscaloosa; (13) Walker, Fayette and Lamar; (14) Jefferson; (15) Pickens and Sumter; (16) Elmore and Chilton; (17) Lowndes and Autauga; (18) Covington and Geneva; (19) Bibb and Perry; (20) Clarke and Washington; (21) Marengo and Choctaw; (22) Baldwin, Escambia and Conecuh; (23) Wilcox and Monroe; (24) Dale and Barbour; (25) Pike and Coffee; (26) Crenshaw and Butler; (27) Bullock and Macon; (28) Lee and Russell; (29) Montgomery; (30) Cherokee and DeKalb; (31) Dallas; (32) Colbert, Franklin and Marion; (33) Greene and Hale; (34) Mobile; (35) Henry and Houston.

Section 3. This act shall become effective in the election of the Legislature to be elected in 1922.

Section 4. All laws or parts of laws in conflict with this act be, and the same are hereby repealed.

Which was lost.

Yeas, 9; nays, 21.

Yeas:

Messrs:

Acker	Griffith	Prestwood	Smith (Lawrence)
Baker	Phillips	Smith (Coosa)	West
Craft			

—9

Nays:

Messrs:

Beale	Cowan	Huddleston	McDowell
Bedsole	Espy	Kelly	Nance
Butler	Evins	Miller	Rogers (Lauderdale)
Caffey	Gunter	Moore	Rogers (Sumter)
Carlton	Harper	Morris	Sims
Carmichael			

—21

Mr. Prestwood then moved to indefinitely postpone said bill, which motion was lost.

And said bill was then read a third time at length and lost.

Yeas, 6; nays, 23.

Yeas:

Messrs:

Baker	Griffith	Smith (Lawrence)	West
Craft	Prestwood		

—6

Nays:

Messrs:

Acker	Carlton	Huddleston	Nance
Beale	Carmichael	Kelly	Rogers (Lauderdale)
Bedsole	Cowan	Miller	Rogers (Sumter)
Briscoe	Espy	Moore	Sims
Butler	Evins	Morris	Smith (Coosa)
Caffey	Gunter	McDowell	

—23

MESSAGE FROM THE HOUSE.

Mr. President:

The House has passed the following Senate bill:

S. 452. To amend section 2686 of the Code of Alabama of 1907.

Also:

S. 159. To provide and prescribe an additional mode of service in all proceedings in the courts of this State upon non residents of this State, and upon residents of this State, who have been absent from the State for at least six months prior to the institution of such proceedings, and upon any and all residents of this State, who conceal themselves so that process can not be served upon them; and to declare the force and effect of such

service; and to prescribe the time within which such orders, judgments and decrees rendered in such proceedings upon such service shall become final.

And returns same to the Senate.

Fred H. Gormley,
Clerk.

BILLS ON THIRD READING RESUMED.

The bill:

S. 371. To amend section 2 of an act "To provide for the creation of the office of State prison inspection; to prescribe the duties and powers of such office; to provide for the necessary assistants to said inspector; to fix the compensation of such inspector and his assistants; to provide for the construction, the regulation, the management, the maintenance, the operation, the healthfulness, and the sanitation of all county jails, almshouses, and such town and city prisons as are in towns or cities of ten thousand or more population according to the last Federal census, under the supervision of said inspector, and to prescribe the duties of the various public officials with respect thereto, and to provide punishment for violations of this act," approved April 8, 1911 (General Acts 1911, p. 356.)

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 23; nays, 1.

Yeas:

Messrs:

Acker	Caffey	Gunter	Phillips
Baker	Carlton	Harper	Rogers (Sumter)
Beale	Carmichael	Kelly	Sims
Bedsole	Craft	Miller	Smith (Lawrence)
Briscoe	Espy	Morris	West
Butler	Evins	Nance	

—23

Nays:

Mr. Prestwood—1.

The bill:

S. 578. To further define criminal conspiracy in this State.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 18; nays, 0.

Yeas:

Messrs:

Acker	Craft	Miller	Rogers (Sumter)
Beale	Espy	Morris	Sims
Bedsole	Evins	McDowell	Smith (Lawrence)
Caffey	Gunter	Nance	West
Carlton	Harper		

—18

Nays:—None.

The bill:

S. 653. To amend section 15 of an act "To further suppress the evils of intemperance; to restrict the receipt, possession and delivery of spirituous, vinous, malted, fermented or other intoxicating or prohibited liquors and beverages and fixing punishment and penalties," approved January 25th, 1919.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 19; nays, 0.

Yeas:

Messrs:

Acker	Caffey	Harper	Rogers (Sumter)
Baker	Carlton	Miller	Sims
Beale	Craft	Morris	Smith (Lawrence)
Bedsole	Espy	McDowell	West
Briscoe	Gunter	Nance	

—19

Nays:—None.

The bill:

S. 484. To authorize the clerk of the Court of Appeals of Alabama to employ an assistant and fix his salary.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 19; nays, 1.

Yeas:

Messrs:

Acker	Butler	Evins	McDowell
Baker	Caffey	Gunter	Rogers (Sumter)
Beale	Carlton	Harper	Smith (Lawrence)
Bedsole	Craft	Kelly	West
Briscoe	Espy	Miller	

—19

Nays:

Mr. Morris—1.

The bill:

S. 676. To prescribe the amount of solicitors fees in cases of conviction for carrying concealed a pistol about the person.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 20; nays, 0.

Yeas:

Messrs:

Acker	Butler	Espy	McDowell
Baker	Caffey	Gunter	Nance
Beale	Carlton	Harper	Rogers (Sumter)
Bedsole	Cowan	Miller	Smith (Lawrence)
Briscoe	Craft	Morris	West

—20

Nays:—None.

The bill:

S. 651. To amend an act approved February 14, 1919, entitled, "An act to provide for extension work in agriculture and home economics by giving instruction to men, women and young people in the several counties in Alabama, by continuing and improving farm demonstration work, by organizing marketing clubs, by organizing and supervising boys' corn and pig clubs, girls' canning clubs, women's clubs in home economics and by conducting other extension work through other means, all with a view to making farm life more profitable and attractive; to secure for Alabama the full amount of the funds conditionally appropriated by Congress under the Smith-Lever Extension act for extension work in agriculture and home economics; and to make appropriations for these purposes."

Was taken up.

Mr. Brown offered the following amendment to said bill:

Amend Senate bill No. 651 by Mr. Brown by striking out at the end of section 1 the following words:

"And in order to match the higher rate of the Federal Smith-Lever fund available for the months of July, August and September, due to the earlier date on which the Federal fiscal year begins, there is hereby appropriated the additional sum of four thousand five hundred (\$4,500.00) dollars, for each of the State's fiscal years beginning October 1, 1919, these additional amounts to be paid respectively on July 1, 1920, July 1, 1921, and July 1, 1922.

Which was adopted.

Yeas, 21; nays, 0.

Yeas:

Messrs:

Acker	Carmichael	Gunter	McDowell
Baker	Cowan	Harper	Nance
Beale	Craft	Kelly	Phillips
Briscoe	Espy	Miller	Smith (Coosa)
Butler	Evins	Morris	West
Carlton			

—21

Nays:—None.

And said bill, as thus amended, was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 24; nays, 1.

Yeas:

Messrs:

Acker	Butler	Cowan	Gunter
Beale	Caffey	Craft	Harper
Bedsole	Carlton	Espy	Kelly
Briscoe	Carmichael	Evins	Miller

Morris	Phillips	Sims	Smith (Lawrence)
Nance	Rogers (Sumter)	Smith (Coosa)	West

—24

Nays:
Mr. Baker—1.

The bill:

S. 473. To authorize the governor to provide for the use of funds, special or general, in the treasury, when needed to meet the obligations of the State.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 21; nays, 0.

<i>Yeas:</i>			
<i>Messrs:</i>			
Acker	Caffey	Evins	Morris
Baker	Carlton	Gunter	McDowell
Beale	Cowan	Harper	Rogers (Sumter)
Bedsole	Craft	Kelly	Smith (Lawrence)
Briscoe	Espy	Miller	West
Butler			

—21

Nays:—None.

The bill:

S. 445. To amend an act entitled, "An act to amend section 3910 of the Code," approved April 18, 1911.

Was read a third time at length and lost.

Yeas, 4; nays, 16.

<i>Yeas:</i>			
<i>Messrs:</i>			
Baker	Craft	Harper	Prestwood

—4 .

<i>Nays:</i>			
<i>Messrs:</i>			
Acker	Caffey	Gunter	McDowell
Bedsole	Carmichael	Kelly	Rogers (Lauderdale)
Briscoe	Espy	Miller	Rogers (Sumter)
Butler	Evins	Morris	Smith (Lawrence)

—16

The bill:

S. 759. To require the State income tax supervisor and certain officials under him to execute official bonds with surety for the faithful performance of their duties under the act entitled an act to provide for the general revenue of the State of Alabama, approved September, 1919.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 19; nays, 0.

Yeas:

Messrs:

Acker	Butler	Evins	Morris
Baker	Caffey	Gunter	McDowell
Beale	Carmichael	Harper	Prestwood
Bedsole	Craft	Kelly	Rogers (Sumter)
Briscoe	Espy	Miller	—19

Nays:—None.

The bill:

S. 627. Special appropriation for erection and equipment of two buildings for the Alabama insane hospitals on the grounds of the Brice Hospital at Tuscaloosa.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 18; nays, 0.

Yeas:

Messrs:

Acker	Carlton	Gunter	McDowell
Beale	Carmichael	Kelly	Rogers (Lauderdale)
Briscoe	Craft	Miller	Rogers (Sumter)
Butler	Espy	Morris	Sims
Caffey	Evins		—18

Nays:—None.

The bill:

S. 711. To amend sections 23, 24, 28, 29 and 33 of an act entitled, "An act providing for the registration, licensing, identification and regulation of motor vehicles operated upon the public highways of this State; and fixing liability for persons riding therein, and providing penalties and punishments for violations of the provisions of said act, approved April 22nd, 1911.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 19; nays, 0.

Yeas:

Messrs:

Acker	Caffey	Gunter	McDowell
Baker	Carmichael	Harper	Rogers (Lauderdale)
Beale	Craft	Kelly	Rogers (Sumter)
Briscoe	Espy	Miller	Sims
Butler	Evins	Morris	—19

Nays:—None.

The bill:

S. 477. To amend an act approved September 25th, 1915, to provide a mode whereby cities in the State of Alabama which

shall have heretofore adopted or may hereafter adopt a commission form of government as authorized by law, may after an election upon such question, abandon such commission form of government and return to the aldermanic form of government as the same existed therein at the time of adoption of commission form of government.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 21; nays, 0.

Yeas:

Messrs:

Acker	Craft	Miller	Rogers (Lauderdale)
Baker	Espy	Moore	Rogers (Sumter)
Bedsole	Griffith	Morris	Smith (Coosa)
Brown	Harper	McDowell	Smith (Lawrence)
Carlton	Kelly	Phillips	West
Carmichael			

—21

Nays:—None.

The bill:

S. 657. To provide for the appointment of deputy registers and deputy clerks for circuit courts in judicial circuits composed of one county having two or more judges, and to prescribe the duties and fix the compensation and salary of such deputies.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 18; nays, 0.

Yeas:

Messrs:

Acker	Butler	Espy	Morris
Baker	Caffey	Evins	McDowell
Beale	Carlton	Gunter	Prestwood
Bedsole	Carmichael	Harper	Sims
Briscoe	Craft		

—18

Nays:—None.

The bill:

S. 406. To amend chapter 193 of the Code of Alabama, 1907. Was taken up.

Mr. Evins offered the following amendment to said bill, to-wit:

Amend Senate bill 406 by inserting the words: "Section 1," before the figures "6620," where they appear in the bill, and by inserting the words: "Section 2," before the figures "6621," where they appear in the bill, by inserting the words: "Section 3," before the figures "6622" where they first appear in the bill;

by striking out the figures "6622," where they appear in the second and third times in the bill; by inserting the words "Section 4" before the beginning of the fourth paragraph of the bill, and by inserting the words: "Section 5," before the fifth paragraph of the bill:

Amend section 2 of Senate bill No. 406 by adding at the end thereof the following: Provided that reasonable variations or tolerances due to differences in moisture content shall be permitted, and that these reasonable variations or tolerations shall be established by rules and regulations made by the commissioner of agriculture and industries, whose duty it shall be to see that the provisions of this act are carried out.

And amend section 5 of said bill to read as follows: That this act shall take effect immediately upon its passage, and approval by the governor. Provided, however, that an extension of ninety days from and after the approval by the governor shall be allowed for the disposition of bags of corn meal printed to conform to present laws.

Which was adopted.

Yeas, 18; nays, 0.

Yeas:

Messrs:

Acker	Carlton	Gunter	Morris
Bedsole	Carmichael	Harper	McDowell
Briscoe	Craft	Kelly	Rogers (Sumter)
Butler	Espy	Miller	Sims
Caffey	Evins		

—18

Nays:—None.

And said bill, as thus amended, was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 21; nays, 0.

Yeas:

Messrs:

Acker	Carlton	Evins	Morris
Baker	Carmichael	Gunter	McDowell
Bedsole	Cowan	Harper	Nance
Briscoe	Craft	Kelly	Rogers (Sumter)
Butler	Espy	Miller	Sims
Caffey			

—21

Nays:—None.

The bill:

S. 560. To provide for the payment of any fee or reward that is made payable by statute to any person who furnished the

evidence that brought about the conviction of a person charged with unlawfully distilling or manufacturing or making prohibited liquors and beverages.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 16; nays, 2.

Yeas:

Messrs:

Acker	Caffey	Craft	Miller
Bedsole	Carlton	Espy	Morris
Briscoe	Carmichael	Gunter	Nance
Butler	Cowan	Kelly	Rogers (Sumter)

—16

Nays:

Messrs:

Evins McDowell

—2

The bill:

S. 397. To authorize, regulate and prescribe the manner of summoning by registered mail witnesses and jurors in any and all proceedings in any and all courts in this State.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 20; nays, 0.

Yeas:

Messrs:

Acker	Caffey	Evins	Nance
Beale	Carlton	Harper	Prestwood
Bedsole	Carmichael	Miller	Rogers (Lauderdale)
Briscoe	Craft	Morris	Rogers (Sumter)
Butler	Espy	McDowell	Sims

—20

Nays:—None.

The bill:

S. 626. To provide a method by which municipalities may assume the management, supervision and control of any street or part of street, which is or may hereafter be, under the management, supervision or control of courts of county commissioners or boards of revenue and road commissioners.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 18; nays, 0.

Yeas:

Messrs:

Acker	Briscoe	Carlton	Espy
Beale	Butler	Carmichael	Evins
Bedsole	Caffey	Craft	Harper

Kelly
Morris

McDowell
Nance

Rogers (Lauderdale) Rogers (Sumter)
—18

Nays:—None.

The bill:

S. 391. To prohibit the changing, altering, erasing or obliterating factory numbers on motor vehicle tires, and to make the possession of such tires, with the factory numbers thereon changed, altered, erased or obliterated, prima facie evidence that such tires were stolen, and that the person in possession thereof knew that such tires were stolen.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 18; nays, 0.

Yeas:

Messrs:

Acker
Beale
Bedsole
Briscoe
Butler

Caffey
Carlton
Carmichael
Craft
Espy

Evins
Harper
Kelly
Miller

Morris
Nance
Rogers (Lauderdale)
Rogers (Sumter)

—18

Nays:—None.

The bill:

S. 756. To encourage the manufacture of air nitrates in the State of Alabama, by exempting from taxation the plants, products and other property of any person, firm or corporation acquiring either by lease or purchase, any factory or plant already built in this State, for the production and manufacture of atmospheric nitrogen.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 18; nays, 1.

Yeas:

Messrs:

Acker
Baker
Beale
Bedsole
Briscoe

Butler
Caffey
Carlton
Carmichael
Craft

Espy
Evins
Harper
Kelly

Miller
Prestwood
Rogers (Lauderdale)
Rogers (Sumter)

—18

Nays:

Mr. Morris—1.

The bill:

S. 658. To require all companies, corporations, lessees, owners or receivers of any railroad or railway company operating

passenger cars in this State to cause the doors and windows of such cars to be screened, under regulations to be adopted by the Alabama public service commission.

Was taken up.

Mr. Prestwood offered the following amendment to said bill: Amend section 1 of Senate bill No. 658 by striking therefrom the words "doors" where it appears in said section.

Which was adopted.

Yeas, 19; nays, 0.

Yeas:

Messrs:

Acker	Butler	Espy	Miller
Baker	Caffey	Evins	Morris
Beale	Carlton	Griffith	Nance
Bedsole	Carmichael	Gunter	Prestwood
Briscoe	Craft	Kelly	

—19

Nays:—None.

Mr. Prestwood also offered the following amendment to said bill:

Amend section 1 of Senate bill No. 658, by adding thereto the following: "It shall be the duty of the public service commission to adopt such regulations not later than 30 days from the passage of this act.

Which was adopted.

Yeas, 16; nays, 6.

Yeas:

Messrs:

Baker	Butler	Gunter	Prestwood
Beale	Caffey	Harper	Rogers (Lauderdale)
Bedsole	Carlton	Morris	Smith (Coosa)
Briscoe	Craft	Nance	Smith (Lawrence)

—16

Nays:

Messrs:

Acker	Cowan	Miller	Rogers (Sumter)
Carmichael	Evins		

—6

And said bill, as thus amended, was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 16; nays, 7.

Yeas:

Messrs:

Baker	Caffey	Harper	Prestwood
Bedsole	Craft	Kelly	Rogers (Lauderdale)
Briscoe	Espy	Morris	Smith (Coosa)
Butler	Gunter	Nance	Smith (Lawrence)

—16

Nays:

Messrs:

Acker

Carlton

Evins

Rogers (Sumter)

Beale

Carmichael

Miller

—7

REPORT FROM COMMITTEE ON ENROLLED BILLS.

Mr. President:

Your Standing Committee on Enrolled Bills, beg leave to report that said committee, in session, have compared the following enrolled bills, with the engrossed and original bills, respectively, and find same correctly enrolled, to-wit:

S. 536. To provide for the compensation of deputy solicitors in all counties of the State, having a population of more than 27,100 and less than 27,200, according to the last Federal census or any subsequent Federal census, and to provide the manner in which the same shall be paid.

S. 543. To authorize and empower boards of revenue in counties having a population of not less than 82,000 and not more than 100,000 according to the latest Federal census, to expend county funds not exceeding \$2,500 per annum for county purposes not otherwise provided for by law.

S. 232. To fix the amount of ex-officio fees of clerks of the circuit court in all counties having a population of more than 37,900 and less than 38,000 according to the 1910 Federal census or any subsequent census, where the assessed value of real and personal property in such counties exceeds the sum of ten million dollars and to provide for the payment of the same.

S. 230. To fix the amount of ex-officio fees of sheriffs in all counties having a population of more than 37,900 and less than 38,000 according to the 1910 Federal census or any subsequent census, where the assessed value of real and personal property in such counties exceeds ten million dollars and to provide for the payment of the same.

S. 509. For the relief of Rev. J. M. Johnson.

S. J. R. 120. Relating to Federal aid for the promotion or development of mines and mining and mining engineering in the State of Alabama.

S. 442. To create the office of State fire marshal, and to provide for the appointment of deputy marshals and assistants; to define their powers and duties and to fix their compensation; provide ways and means for the enforcement of this act and penalties for violation thereof; and to provide means for defraying the expenses incurred under the provisions hereof.

S. 280. To amend an act entitled "An act to provide and create a commission form of government and to authorize the adop-

tion of the same in all cities and towns in the State of Alabama which now are not or hereafter may not be within the influence or operation of any other valid legislative enactment authorizing or adopting such form of government; to regulate the selection and election of commissioners and their terms of office and retention in and recall from office; to provide for the selection of one commissioner as mayor, and the retention in office of certain officials; to fix the powers, duties and compensations of such commissioners; to punish improper conduct in connection with elections and petitions hereunder; to abolish boards of public work, police commissioners, councilmen, aldermen and certain other city and town officials of such municipalities as adopt the said form of government; and generally to authorize and provide for the creation and maintenance of said commission form of government," approved April 8th, 1911, and as amended by an act approved Sept. 28, 1915, by amending the title thereof and by amending said act so that it shall apply to cities which have a population of exceeding fifty thousand five hundred and not more than one hundred thousand, according to the last Federal census, and which may hereafter have such population according to any Federal census hereafter taken, and to no others, by providing for the selection and election of a mayor and commissioners and fixing their terms of office and compensation, by abolishing certain offices, by fixing the powers, duties and liabilities of such mayor and commissioners, by creating certain new offices of such cities and providing for the selection of the incumbents thereof, and generally by prescribing a form of municipal government for such cities.

Chas. McDowell, Jr.,
Chairman.

SIGNING OF BILLS.

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the following bills:

S. 536. To provide for the compensation of deputy solicitors in all counties of the State, having a population of more than 27,100 and less than 27,200, according to the last Federal census, and to provide the manner in which the same shall be paid.

S. 543. To authorize and empower boards of revenue in counties having a population of not less than 82,000 and not more than 100,000 according to the latest Federal census, to expend

county funds not exceeding \$2,500 per annum for county purposes not otherwise provided for by law.

S. 232. To fix the amount of ex-officio fees of clerks of the circuit court in all counties having a population of more than 37,900 and less than 38,000 according to the 1910 Federal census where the assessed value of real and personal property in such counties exceeds the sum of ten million dollars and to provide for the payment of the same.

S. 230. To fix the amount of ex-officio fees of sheriffs in all counties having a population of more than 37,900 and less than 38,000 according to the 1910 Federal census where the assessed value of real and personal property in such counties exceeds ten million dollars and to provide for the payment of the same.

S. 509. For the relief of Rev. J. M. Johnson.

S. J. R. 120. Relating to the Federal aid for the promotion or development of mines and mining, and mining engineering in the State of Alabama.

S. 442. To create the office of the State fire marshal, and to provide for the appointment of deputy marshals and assistants; to define their powers and duties and to fix their compensations; provide ways and means for the enforcement of this act and penalties for violation thereof; and to provide means for defraying the expenses incurred under the provisions hereof.

S. 280. To amend an act entitled "An act to provide and create a commission form of government and to authorize the adoption of the same in all cities and towns in the State of Alabama which now are not or hereafter may not be, within the influence or operation of any other valid legislative enactment authorizing or adopting such form of government; to regulate the selection and election of commissioners and their terms of office and retention in and recall from office; to provide for the selection of one commissioner as mayor, and the retention in office of certain officials; to fix the powers, duties and compensations of such commissioners; to punish improper conduct in connection with elections and petitions hereunder; to abolish boards of public work, police commissioners, councilmen, aldermen, and certain other city and town officials of such municipalities as adopt the said form of government; and generally to authorize and provide for the creation and maintenance of said commission form of government," approved April 8th, 1911, and as amended by an act approved September 28th, 1915, by amending the title thereof, and by amending said act so that it shall not apply to cities which have a population of exceeding fifty thousand five hundred and not more than one hundred thousand, according to the last Feder-

al census, and which may hereafter have such population according to any Federal census hereafter taken, and to no others, by providing for the selection and election of a mayor and commissioners and fixing their terms of office and compensation, by abolishing certain offices, by fixing the powers, duties and liabilities of such mayor and commissioners, by creating certain new offices of such cities and providing for the selection of the incumbents thereof, and generally by prescribing a form of municipal government for such cities.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has originated and passed the following bill:

H. 1131. To fix the salaries of the chairman and two associate members of the State tax commission and to prescribe the manner of payment of same.

And ordered same sent forthwith to the Senate without engrossment.

Fred H. Gormley,
Clerk.

HOUSE MESSAGE.

The House bill in the foregoing House message was read once and referred to appropriate standing committee as follows:

Finance and Taxation.

RECESS.

At 6:40 P. M., on motion of Mr. Morris, the Senate took a recess until 8:30 tonight.

NIGHT SESSION—FORTY-SEVENTH DAY.

Friday, September 19, 1919.

The Senate re-assembled at 8:30 P. M., Lieutenant Governor Miller presiding.

ROLL CALL.

On a call of the roll 25 membrs answered to their names, a quorum of the Senate.

BILLS ON THIRD READING.

The bill:

S. 652. To change the boundary line between Montgomery and Crenshaw counties so as to take into Montgomery county the

following land, now situated in Crenshaw county, Alabama, to-wit: The northwest quarter (N. W. $\frac{1}{4}$) and the west half (W. $\frac{1}{2}$) of the northeast quarter (N. E. $\frac{1}{4}$), section five (5); also the northeast quarter (N. E. $\frac{1}{4}$) and the east half (E. $\frac{1}{2}$) of the northwest quarter (N. W. $\frac{1}{4}$), section six (6), township eleven (11), range eighteen (18).

Was read a third time at length and lost for want of the required constitutional majority.

Yeas, 4; nays, 15.

Yeas:

Messrs:

Caffey	Craft	Gunter	Smith (Lawrence)	—4
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Nays:

Messrs:

Acker	Butler	Harper	McDowell	
Baker	Carlton	Kelly	Prestwood	
Beale	Espy	Miller	Rogers (Sumter)	
Briscoe	Evins	Morris		—15

The bill:

S. 584. To authorize the governor to employ a special force of not more than ten men to serve under his immediate direction and control, to assist him in his duty of taking care that the laws of the State are faithfully executed, and to provide compensation for their services.

Was read a third time at length and passed and ordered sent to the House without engrossment.

Yeas, 12; nays, 11.

Yeas:

Messrs:

Acker	Briscoe	Carmichael	Kelly	
Beale	Butler	Craft	Rogers (Sumter)	
Bedsole	Caffey	Espy	Smith (Lawrence)	
				—12

Nays:

Messrs:

Baker	Gunter	Morris	Prestwood	
Carlton	Harper	McDowell	Smith (Coosa)	
Evins	Miller	Nance		—11

The bill:

S. 760. To make the surety bond required for each of the several tax collectors of the State more secure by providing that such bond shall be and operate as a lien on the property of the tax collectors' personal or individual sureties in cases where personal or individual sureties sign the bond, from the date of any default covered by the bond of any tax collector.

Was read a third time at length and passed and ordered sent to the House without engrossment.

Yeas, 21; nays, 0.

Yeas:

Messrs:

Acker	Caffey	Gunter	Nance
Baker	Carlton	Harper	Prestwood
Beale	Carmichael	Kelly	Rogers (Sumter)
Bedsole	Craft	Miller	Smith (Coosa)
Briscoe	Espy	Morris	Smith (Lawrence)
Butler			

—21

Nays:—None.

The bill:

S. 493. To authorize the recording, acknowledgment or proba-
tion of bonds for title, or other written contracts, relating to
lands and to prescribe the effect thereof.

Was read a third time at length and passed and ordered sent
to the House without engrossment.

Yeas, 23; nays, 0.

Yeas:

Messrs:

Acker	Caffey	Gunter	Nance
Baker	Carlton	Harper	Prestwood
Beale	Carmichael	Kelly	Rogers (Sumter)
Bedsole	Craft	Miller	Smith (Coosa)
Briscoe	Espy	Morris	Smith (Lawrence)
Butler	Evins	McDowell	

—23

Nays:—None.

The bill:

S. 401. To provide the method of conveying real estate, or
any interest therein, which may be sold under any mortgage or
deed of trust, or under any execution, or under the decree of any
court.

Was read a third time at length and passed and ordered sent
to the House without engrossment.

Yeas, 22; nays, 0.

Yeas:

Messrs:

Acker	Caffey	Gunter	McDowell
Baker	Carlton	Harper	Nance
Beale	Carmichael	Kelly	Rogers (Sumter)
Bedsole	Craft	Miller	Smith (Coosa)
Briscoe	Espy	Morris	Smith (Lawrence)
Butler	Evins		

—22

Nays:—None.

The bill:

S. 482. To provide for the subdivision of counties into school attendance districts, and to provide for the attendance officers under the compulsory education law in counties of this State having a population of not less than 21,600 nor more than 22,000, according to the Federal census of 1910.

Was taken up.

Mr. Morris offered the following amendment to said bill:

Amend caption of Senate bill number 482, by changing the period at the end thereof to a comma and adding thereafter the words: "or any subsequent Federal census."

Amend section 1 of Senate bill number 482, by adding immediately after the figures 1910, the words: or any subsequent Federal census.

Which was adopted.

Yeas, 20; nays, 0.

Yeas:

Messrs:

Acker	Butler	Espy	Miller
Baker	Caffey	Evins	Morris
Beale	Carlton	Gunter	Nance
Bedsole	Carmichael	Harper	Rogers (Sumter)
Briscoe	Craft	Kelly	Smith (Coosa)

—20

Nays:—None.

And said bill, as thus amended, was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 23; nays, 0.

Yeas:

Messrs:

Acker	Caffey	Gunter	Nance
Baker	Carlton	Harper	Prestwood
Beale	Carmichael	Kelly	Rogers (Sumter)
Bedsole	Craft	Miller	Smith (Coosa)
Briscoe	Espy	Morris	Smith (Lawrence)
Butler	Evins	McDowell	

—23

Nays:—None.

The bill:

S. 494. To amend section 3361 of the Code of Alabama of 1907.

Was read a third time at length and passed and ordered sent to the House without engrossment.

Yeas, 22; nays, 0.

*Yeas:**Messrs:*

Acker	Caffey	Gunter	Nance
Baker	Carlton	Harper	Prestwood
Beale	Carmichael	Kelly	Rogers (Sumter)
Bedsole	Craft	Miller	Smith (Coosa)
Briscoe	Espy	Morris	Smith (Lawrence)
Butler	Evins		

—22

Nays:—None.**The bill:**

S. 677. To amend section 7798 of the Code of Alabama 1907. Was read a third time at length and passed and ordered sent to the House without engrossment.

Yeas, 22; nays, 0.

*Yeas:**Messrs:*

Acker	Caffey	Gunter	McDowell
Baker	Carlton	Harper	Nance
Beale	Carmichael	Kelly	Rogers (Sumter)
Bedsole	Craft	Miller	Smith (Coosa)
Briscoe	Espy	Morris	Smith (Lawrence)
Butler	Evins		

—22

Nays:—None.**The bill:**

H. 853. To amend an act entitled an act "To ratify, confirm and validate the census of the cities and towns in the State of Alabama, of seven (7,000) thousand inhabitants and less, where the same has been taken as provided by the Code of Alabama, 1907, and the report of the same filed in the office of the secretary of State." Approved April 14th, 1911.

Was read a third time at length and passed.

Yeas, 22; nays, 0.

*Yeas:**Messrs:*

Acker	Caffey	Gunter	McDowell
Baker	Carlton	Harper	Nance
Beale	Carmichael	Kelly	Rogers (Sumter)
Bedsole	Craft	Miller	Smith (Coosa)
Briscoe	Espy	Morris	Smith (Lawrence)
Butler	Evins		

—22

Nays:—None.**The bill:**

H. 414. To amend section 6 of an act entitled, "An act to provide for elections to authorize any county in the State to levy

and collect a special county tax for public school purposes not to exceed thirty (30) cents on each one hundred dollars (\$100) worth of taxable property in such county; to authorize any school district, in any county that may be levying special county taxes for school purposes of not less than thirty (30) cents on each one hundred dollars (\$100) worth of taxable property in such county, to levy a special district tax for school purposes not to exceed thirty (30) cents on each hundred dollars (\$100) worth of taxable property in such school district; and to authorize boards of education to issue interest-bearing warrants to erect, repair, and equip school buildings and to otherwise improve school facilities," approved February 13th, 1919.

Was read a third time at length and passed.

Yeas, 21; nays, 0.

Nays:

Messrs:

Acker	Caffey	Evins	Morris
Baker	Carlton	Gunter	McDowell
Beale	Carmichael	Harper	Rogers (Sumter)
Bedsole	Craft	Kelly	Smith (Coosa)
Briscoe	Espy	Miller	Smith (Lawrence)
Butler			

—21

Nays:—None.

The bill:

S. 492. To amend section 2818 of the Code of Alabama, 1907.

Was read a third time at length and passed and ordered sent to the House without engrossment.

Yeas, 21; nays, 0.

Yeas:

Messrs:

Acker	Caffey	Evins	Morris
Baker	Carlton	Gunter	McDowell
Beale	Carmichael	Harper	Rogers (Sumter)
Bedsole	Craft	Kelly	Smith (Coosa)
Briscoe	Espy	Miller	Smith (Lawrence)
Butler			

—21

Nays:—None.

The bill:

S. 491. To amend section 1491 of the Code of Alabama.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 20; nays, 0.

Yeas:

Messrs:

Acker	Butler	Espy	Miller
Baker	Caffey	Evins	Morris
Beale	Carlton	Gunter	Rogers (Sumter)
Bedsole	Carmichael	Harper	Smith (Coosa)
Briscoe	Craft	Kelly	Smith (Lawrence)

—20

Nays:—None.

The bill:

H. 401. To create a State highway department; to define its powers and duties; to authorize State aid in the construction and maintenance of public roads and bridges; to create a State highway fund and to provide for its expenditure; to impose certain duties upon county and municipal officials and to provide a penalty for their failure to discharge same; to authorize the State highway department to work State convicts upon public roads and bridges as is now or may hereafter be provided by law; to assent to the act of Congress approved July 11, 1916, known as the "Federal aid law" and to authorize the State highway department to co-operate with the United States government in the construction and maintenance of rural post roads; and to repeal the act approved April 5, 1911, entitled "An act to provide for the creation of a State highway commission, defining its powers, duties and compensations, and methods to be adopted for control of same and for appropriation and maintenance of the same and to give State aid and State supervision over all public roads, culverts and bridges of the State for construction of a permanent nature and the maintenance thereof wherein any portion of the appropriation hereinafter made shall be used for such purpose; and to make an appropriation therefor out of the net revenue of the convict fund of the State and from other sources.

Was taken up and the following substitute offered by the committee was considered:

A BILL

To be entitled an act to create a State highway department; to define its powers and duties; to authorize State aid in the construction and maintenance of public roads and bridges; to create a State highway fund and to provide for its expenditure; to impose certain duties upon county and municipal officials and to provide a penalty for their failure to discharge same; to authorize the State highway department to work State convicts upon public roads and bridges as is now or may hereafter be provided by law; to assent to the act of

Congress approved July 11, 1916, known as the "Federal aid law," and to authorize the State highway department to co-operate with the United States Government in the construction and maintenance of rural post roads; and to repeal the act approved April 5, 1911, entitled, "An act to provide for the creation of a State highway commission, defining its powers, duties and compensations, and methods to be adopted for control of same and for appropriations and maintenance of the same and to give State aid and State supervision over all public roads, culverts and bridges of the State for construction of a permanent nature and the maintenance thereof wherein any portion of the appropriation hereinafter made shall be used for such purpose; and to make an appropriation therefor out of the net revenue of the convict fund of the State and from other sources."

Be it enacted by the Legislature of Alabama:

Section 1. That there is hereby created a State highway department for the State of Alabama, which shall consist of a State highway commission and a State highway engineer. Said State highway commission shall consist of the senior professor of civil engineering in the Alabama Polytechnic Institute, the State geologist and three other persons to be appointed by the governor. One of the first appointive members of said commission shall serve for three years from January 1, 1919, another for four years from said date and another for five years from said date, after which the term of each appointive member shall be four years. All vacancies in the appointive membership of said commission shall be filled by appointment of the governor for the unexpired term. The governor may remove any member for inefficiency, malfeasance or neglect of duty. The members of said commission shall serve without compensation, but they shall each be allowed traveling and other expenses incurred in the discharge of their official duties. All questions before said commission shall be determined by a majority vote.

Section 2. The State highway commission shall consider and determine all questions relating to the general policy of the State highway department and the conduct of its work. It shall receive and consider the reports of the State highway engineer and act for the State highway department in all matters which have not been especially delegated by law to the State highway engineer. On or before the first day of April in each year, it shall be the duty of the commission to submit a printed report to the governor stating as near as possible the number of miles of road built or improved and also the culverts and bridges constructed during the preceding year, the cost and general character of same

and the location of materials suitable for road construction, and said report shall also show where said roads, culverts and bridges have been constructed. Said commission shall recommend such legislation as it deems advisable and furnish any other information concerning road and bridge improvement as may be deemed expedient.

Section 3. The State highway commission shall elect from its membership a chairman; it shall have a seal and the members thereof shall have the power to administer oaths. The State highway department shall be provided with a suitable office at the capitol and at such other places as the demands on the department may require, which shall be under the charge of the State highway engineer and same shall be kept open at such times as the business of said department and the convenience and interests of the public shall require. Said offices shall be conveniently and properly furnished at the expense of the State and shall be the repository for all records of the State highway department. The State highway department shall hold meetings at such times and places as it may deem essential for the proper carrying out of the provisions of this act. Provided, that nothing in this section contained shall interfere or conflict with the jurisdiction, authority and duties of the governor, State budget commission, or the State board of control and economy.

Section 4. The State highway commission shall elect a State highway engineer who shall be a competent civil engineer, having had not less than six years responsible engineering experience, of which not less than three years must have been in responsible highway engineering. Said State highway engineer shall hold office subject to the pleasure of the commission and his salary not to exceed \$5,000.00 per annum shall be fixed by the commission and be payable monthly. He shall also be allowed his actual and necessary traveling and other necessary expenses as provided by law while engaged in the performance of his official duties and shall give his whole time to the duties of his office. He shall take the constitutional oath of office and execute a bond to the State in such penal sum as may be prescribed by the governor in a guaranty company doing business in Alabama, to be approved by the governor, conditioned upon the faithful performance of his official duties. The premium of said bond shall be paid by the State highway department. He shall keep a record of every act of the State highway commission and, with the consent of the commission, subject to the approval of the governor, he may employ such assistant engineers, clerks, stenographers, draftsmen, foremen and laborers as may be necessary for the proper carrying on of the work of the State highway depart-

ment, and fix their compensation, which shall be paid out of the State highway fund. It shall be the duty of the State highway engineer to give such advice and assistance to county and municipal officials with regard to the construction and maintenance of roads and bridges in the State as his time and other duties will permit, and as the rules and regulations of the commission may prescribe. He and his assistants may be required to attend public meetings held in or out of the State in the interest of improved road and bridge construction and maintenance. The State highway commission shall be and it is hereby made subject to the provisions of the act establishing the State budget commission, approved February 11, 1919, and none of the provisions of this act are to be construed as conflicting with or altering, impairing, or repealing any provision of said act.

Section 5. Motor vehicles used by the State highway department, its officials and engineers shall not be subject to any State, county or municipal license. The attorney general of the State shall be ex-officio attorney for the State highway department and shall give said department such legal counsel as it may require. He shall receive his necessary traveling expenses, as provided by law, when in the performance of his duties as ex-officio attorney for said department.

Section 6. The State highway engineer shall keep on file in his office copies of all plans and specifications prepared by the State highway department, and the files and records of said department shall, under reasonable regulations, be kept open for inspection by the public at all times. Certified copies thereof shall be received in evidence in all courts of this State.

Section 7. The State highway engineer shall cause to be made and kept in his office a general highway map of the State which shall show all State trunk roads; he shall collect information and prepare statistics relative to the mileage, character and condition of the roads and bridges in all counties of the State. He shall investigate and determine the methods of road construction best adapted to the various sections of the State and shall establish standards for the maintenance of roads and bridges which have been constructed with State aid. He may at all reasonable times be consulted by county and municipal officials relative to any question involving the construction of roads and bridges, and he may call on all county and municipal officials for any information or assistance he may require, and it shall be their duty to supply same. Any county or municipal official who fails to supply such information, shall be guilty of a misdemeanor and upon conviction be fined not less than \$10.00 nor more than \$100.00. The State highway engineer shall determine the char-

acter and have general supervision over the construction and maintenance of all public roads and bridges in the State. He shall report all of the proceedings of his office to the State highway commission at such times as it may designate.

Section 8. There is hereby appropriated to the State highway department for its use the entire net revenue derived by the State from the sale of motor vehicle licenses. Said sums herein appropriated, when received by the State treasurer, shall be set aside in a special fund known as the State highway fund and be used for no other purposes than the carrying out of the provisions of this act. Said State highway fund shall be paid out of the treasury on the State auditor's warrant drawn upon presentation to him of the certificate of the State highway commission signed by the State highway engineer and approved by the governor; provided, that in the event that the State shall issue and sell bonds for the construction of public roads the appropriation herein made shall be used for the payment of interest on said bonds and maintenance of roads and provide a sinking fund.

Section 8½. When any county in the State shall appropriate any sum of money to match a like sum of money given by the Federal Government, through the State highway department for the construction of a Federal aid project, provided work on such project begins after the passage of this act, the said county shall be refunded an amount equal to the amount expended by the county on the project, by the State highway commission from any funds that may be derived from the sale of State road bonds. Such payment shall be made on certificate to the State auditor by the State highway engineer, approved by the chairman of the State highway commission, to the effect that such county is entitled to such fund.

Section 9. The State highway commission shall adopt such rules and regulations for the construction and maintenance of the public roads and bridges in Alabama as it shall deem proper. Same shall be printed and furnished to all local road officials in the State.

Section 10. No member of the State highway commission, the State highway engineer or any other person in the employ of the State highway department shall be, either directly or indirectly, interested in any contract for the construction or maintenance of any road or bridges in the State, or in the sale of any machinery, material or anything whatever entering into the construction, maintenance or repair of said roads and bridges, and any person violating the provisions of this section shall be guilty of a misdemeanor and upon conviction thereof shall be fined not less than \$200.00 nor more than \$500.00, and may also be sentenced to hard labor for not more than one year.

Section 11. The State highway commission, subject to the approval of the governor, and subject to the provisions of the State budget commission act, shall reserve out of the State highway fund sufficient sum annually, based upon estimated furnished by the State highway engineer, to support the State highway department. The balance shall be used in the construction and maintenance of State trunk roads and bridges on State trunk roads, as provided in this act. Before making any appropriations to counties of State aid, the State highway commission shall first set aside out of the State highway fund a sum, in its opinion, sufficient to secure the Federal fund apportioned to the State, so that the State will not lose the benefit of the appropriation of Federal aid. Whenever the court of county commissioners, board of revenue or other like governing body of a county shall desire that a State trunk road or bridge on a State trunk road in said county be constructed or maintained with State aid, written application shall be made by said body to the State highway commission, under such rules and regulations as said commission may prescribe. Such application shall be considered by the commission and if approved by it, the State highway engineer or one of his assistants, shall view said road or bridge and cause to be made surveys, plans, specifications and estimates of the cost of its construction or maintenance, and the State highway commission shall thereupon appropriate out of the State highway fund such part of the estimated cost of said work as it may deem proper, and the State highway department shall proceed to do said work. If it deems best the commission may condition said appropriation upon the appropriation by the county for said work of an amount fixed by the commission, which shall be paid into the State treasury to the credit of the State highway fund before the work begins. Whenever a county fails to make application for the construction or maintenance of a road or bridge, or the commission deems it best for such work to be done, it may proceed to construct or maintain any part of a State trunk road or bridge upon a State trunk road and pay part or all of the cost of said work out of the State highway fund.

Section 12. The State highway engineer shall furnish a competent engineer when needed during the progress of road or bridge construction or maintenance in any county under the provisions of this act, who shall supervise said work and see that the plans and specifications are complied with. Whenever it is proposed to do said work by contract and the estimated cost of same exceeds \$5,000.00, the State highway engineer shall advertise for bids at least thirty days in advance of the award of the contract in a newspaper published in the city of Montgomery,

and in a newspaper published in the county where the work is to be done, and he shall receive bids for all or a part of said work and let the contract to the lowest responsible bidder, subject to the approval of the State highway commission. He shall reserve the right, however, to reject any and all bids and call for new bids or perform the work or a part of said work by day labor or convict labor as he may deem best for the interest of the State and county. When any work is done by contract the State highway commission shall require a bond of the contractor for the faithful performance of the work. Said bond shall be payable to the State of Alabama and shall be approved by the State highway commission, and it shall be in the amount of the contract price. The State highway engineer may authorize partial payments to a contractor performing any road or bridge work as the same progresses. The progress estimates and payments shall be based upon materials in place and labor expended upon the work, but not more than eighty-five per cent (85%) of the contract price of the work shall be paid in advance of the full completion and acceptance of same. At least 15% of the full contract price of any such work shall be withheld until the work is satisfactorily completed and accepted by the State highway engineer.

Section 13. Every contract for road or bridge construction or maintenance under the provisions of this act shall be made in the name of the State of Alabama and signed by the State highway engineer.

Section 14. The rights of way deemed necessary by the State highway department for a road constructed under the provisions of this act shall be acquired by the county in which such road is located without expense to the State. Should the county fail or refuse to acquire the necessary rights of way, the State, through the State highway commission, shall have authority to acquire such rights of way either by purchase or by the exercise of the right of eminent domain.

Section 15. On or before the first day of February in each year the presiding officer of every court of county commissioners, board of revenue or like governing body in this State, shall certify to the State highway department the amount of money expended for all purposes in road and bridge construction and maintenance in his county during the preceding year and also furnish a statement of the estimated amounts of funds that will be available in said county for road and bridge construction and maintenance during the current year.

Section 16. No road constructed or maintained under the provisions of this act shall be dug up or used for laying pipe

lines, pole lines, sewers, railways or for other similar purposes, without the written permit of the proper road authorities of the county in which the road is located, approved by the State highway engineer and then such work shall be done only in accordance with the regulations prescribed by the said engineer, and the cost of replacing the road in as good condition as it was before said work was done shall be paid by the person to whom or in whose behalf such permit was given. Such person shall furnish the State with a cash deposit or certified check upon a solvent bank in an amount required by the State highway engineer, conditioned that same is to be forfeited to the State in the event said road is not placed in as good condition as it was prior to said work being done, within fifteen days from the time said work is completed.

Section 17. The State highway department, subject to the control, authority and supervision of the State board of control and economy, is authorized to rent such offices and buildings as may be necessary, to purchase all live stock, machinery, tools and other equipment that it may deem necessary for use upon roads and bridges constructed or maintained under the provisions of this act, and pay for same out of the State highway fund. It shall also pay out of said fund the necessary expenses of said department of every description, including traveling expenses of the officials and engineers, foremen and clerks while in the actual performance of their duties; and also the cost of all supplies for said department and the maintenance of live stock and machinery. All purchases shall be made through the State board of control and economy as provided by law.

Section 18. The State highway commission may make such changes or additions to the system of State trunk roads as it may deem proper and construct or maintain the same with State aid under the provisions of this act.

Section 19. That the State highway department shall work State convicts in the construction and maintenance of public roads and bridges of Alabama as may now or hereafter be provided by law.

Section 20. That the Legislature of the State of Alabama hereby assents to the provisions of the act of Congress approved July 11, 1916, known as the "Federal Aid Law," entitled, "An act to provide that the United States shall aid the States in the construction of rural post roads and for other purposes." The State highway department is hereby authorized to enter into all contracts and agreements with the United States Government relating to the construction and maintenance of rural post roads under the provisions of the said act of Congress, to submit such

scheme or program of construction and maintenance as may be required by the secretary of agriculture and to do all other things necessary to fully carry out the co-operation contemplated and provided for by said act. The good faith of the State of Alabama is hereby pledged to make available funds sufficient to equal the sum apportioned to the State by or under the United States Government, and to maintain the roads constructed under the provisions of said act, and to make adequate provisions for caring for such maintenance.

Section 21. The State highway department is authorized to make all such rules and regulations as may be necessary to carry out the provisions of this act.

Section 22. The act approved April 5, 1911, entitled, "An act to provide for the creation of a State highway commission, defining its powers, duties and compensations, and methods to be adopted for control of same and for appropriation and maintenance of the same and to give State aid and State supervision over all public roads, culverts and bridges of the State for construction of a permanent nature and the maintenance thereof wherein any portion of the appropriation hereinafter made shall be used for such purpose; and to make an appropriation therefor out of the net revenue of the convict fund of the State and from other sources," is hereby repealed.

Section 23. That the State highway commission or highway department shall locate, construct and maintain the highways or State trunk roads so as to connect all the county seats with the adjoining county seats with a permanent road and to connect the county seats of the several border counties at or near the State line with an improved road in the border states. Provided that in counties divided into two judicial divisions in each of which regular terms of the circuit court are held, the places where such terms of court are held, shall be connected with each other.

Section 24. It shall be the duty of said State highway commission or highway department to equitably apportion among the several counties the expenditures of both money and labor and the time or times of making such investments; said roads to be constructed and maintained without expense to the several counties.

Section 25. This act shall take effect October 1st, 1919.

Section 26. All laws or parts of laws, local or general, inconsistent or in conflict with the provisions of this act are hereby repealed.

Section 27. That if any section or provision of this act shall be held to be void or unconstitutional, it shall not affect or de-

stroy the validity or constitutionality of any other section or provision which is not in and of itself void and unconstitutional.

Mr. Craft offered the following amendment to the substitute:

Amend section 4 of the substitute by inserting in line 18 after the word engineers and before the word clerk the word "chemist."

Which was adopted.

And said substitute as amended was then adopted.

Yeas, 17; nays, 1.

Yeas:

Messrs:

Baker	Carlton	Gunter	McDowell
Beale	Carmichael	Harper	Rogers (Sumter)
Bedsole	Craft	Kelly	Smith (Coosa)
Butler	Evins	Miller	Smith (Lawrence)
Caffey			

—17

Nays:

Mr. Espy—1.

And said bill, as amended, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas, 18; nays,*0.

Yeas:

Messrs:

Baker	Caffey	Gunter	McDowell
Beale	Carlton	Harper	Rogers (Sumter)
Bedsole	Carmichael	Kelly	Smith (Coosa)
Briscoe	Craft	Miller	Smith (Lawrence)
Butler	Evins		

—18

Nays:—None.

The bill:

S. 582. To authorize the appointment and employment of State parole agents for persons convicted of felonies and under parole by the governor or board of pardons, or under suspended sentence by the courts, to prescribe their duties and powers and to provide for their compensation, expenses and removal from office and to provide for a State organization to encourage persons interested in the reformation of such convicts to act as local parole agents, without compensation, but with necessary expenses to be paid.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 14; nays, 4.

Yeas:

Messrs:

Acker
Bedsole
Briscoe
Butler

Caffey
Carlton
Craft
Evins

Gunter
Harper
Kelly

Miller
McDowell
Smith (Coosa)

—14

Nays:

Messrs:

Beale

Carmichael

Rogers (Sumter) Smith (Lawrence)

MESSAGE FROM THE HOUSE.

Mr. President:

The House has originated and passed the following bills and ordered same sent to the Senate without engrossment:

H. 368. To make an appropriation for the support and maintenance of the Alabama tuberculosis commission, created and incorporated under and by virtue of a certain act of the Legislature of Alabama, and approved September 22, 1915, entitled: An act to prevent the spread of tuberculosis by the creation of a tuberculosis commission, to provide for its organization and work and to authorize the erection and maintenance of local hospitals under its supervision.

Also:

H. 912. To make an appropriation for tick eradication.

Also:

H. 911. To make an appropriation for the control and eradication of tuberculosis, hog cholera and all other infectious and contagious animal diseases and the materials or things that may spread or carry the cause of such diseases of live stock.

Also:

H. 855. To create the department of examiners of accounts, to prescribe its powers, duties and functions, provide for the appointment of a chief examiner and assistant examiners, to regulate the duties and compensation of such officials, and to provide clerical help for said department.

Also:

H. 879. To amend section 5978 Code of Alabama of 1907.

Also:

H. 157. To provide for extension work in agriculture and home economics by giving instruction to men, women and young people in the several counties in Alabama, by continuing and improving farm demonstration work, by organizing marketing clubs, by organizing and supervising boys' corn and pig clubs, girls' canning clubs, women's clubs in home economics and by conducting other extension work through other means, all with a view to making farm life more profitable

and attractive; to secure for Alabama the full amount of the funds conditionally appropriated by Congress under the Smith-Lever extension act for extension work in agriculture and home economics; and to make appropriations for these purposes.

Fred H. Gormley,
Clerk.

HOUSE MESSAGE.

The House bills in the foregoing House message were severally read once and referred to appropriate standing committees, as follows:

H. 368, H. 912, H. 911, H. 855, H. 879. To Finance and Taxation.

H. 157. To Education.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has originated and passed the following bills and ordered them sent forthwith to the Senate without engrossment.

H. 878. To amend section 211 of the Code of Alabama down through subdivisions 1 and 2 thereof.

Fred H. Gormley,
Clerk.

HOUSE MESSAGE.

The House bill in the foregoing House message was read once and referred to appropriate standing committee, as follows:

H. 878. To Revision of Laws.

MESSAGE FROM THE HOUSE.

Mr. President:

The Speaker having signed the following House bills your signature thereto is requested:

H. 943. To regulate and prescribe the manner of electing county commissioner of Talladega county.

Also:

H. 914. To amend an act entitled, "To fix the time of holding the circuit court in the third judicial circuit of the State of Alabama," as amended and approved April 7th, 1911.

Also:

H. 822. That the county treasurer or custodian of funds be authorized and directed to transfer all monies to the credit of the special jail fund to the credit of the general fund.

Also:

H. 693. To abolish the town of Hollins, a municipal corporation, in Clay county, Alabama, and to dissolve the incorporation thereof; and to provide for the disposition of the records of said town.

Also:

H. 976. To amend an act to establish an inferior court in precincts 15 and 20 in Calhoun county, Alabama, in lieu of all justices of the peace and notaries public, with powers of justice of the peace in said precincts, and to define the jurisdiction and powers of said courts and the judge thereof, to provide for the execution of the process of said court and the operation thereof, to regulate the rendition of judgments by default, to provide for the election, term of office, qualifications and compensation of the officers of said court, and the mode of their selection, and to abolish the office of justice of the peace and notary public, with power of justice of the peace in said precincts. Approved August 25th, 1915.

Also:

H. 999. To provide for and regulate the payment of officers' costs in criminal cases where the defendant is acquitted or where States takes a nolle prosequi, or where case is abated by the death of defendant, or where the indictment is withdrawn and filed in counties having a population according to the last Federal census of not less than eighteen thousand three hundred and not exceeding eighteen thousand five hundred.

Also:

H. 975. To dissolve the municipal corporation of the town of James, Alabama.

Also:

H. 951. To provide for the consolidation of two cities or towns whose boundaries touch with a third town or city not contiguous to either but whose boundary line is within one mile or less of the boundary of either of the others, so as to include within the consolidated city or town the territory between such cities or towns, prescribe the manner in which such consolidation may be had, to provide for the organization of the municipal government of the consolidated city or town, to provide for the payment of the debts of each of the consolidated cities or towns, the performance of the existing contracts of each of said cities and towns, and the disposition of the property of each of the consolidating cities or towns.

Also:

H. 1039. To repeal an act entitled an act to provide for the construction, repairing, working and maintaining of the public roads of Russell county, Alabama, and to provide for the levying

of a tax for the same and for punishing road defaulters, approved September 26th, 1903. Local Acts, 1903, page 355, et sequiter.

Also:

H. 508. To empower and direct the court of county commissioners of Henry county, Alabama, to pay from the general fund of said county for the publication of notices of intention to apply for the enactment of local laws for said county when the same are applicable to the entire county.

Also:

H. 777. To provide for the more efficient construction and maintenance of the public roads and bridges of Crenshaw county, Alabama; to provide for raising revenue for the same; to levy a vehicle license tax on automobiles, motor trucks and all motor vehicles owned and operated by citizens of Crenshaw county, Alabama; to prescribe the duties of the tax assessor and tax collector of said county under this act; to provide penalties and punishment for the violation of this act, and to repeal conflicting laws.

Fred H. Gormley,
Clerk.

SIGNING OF BILLS.

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the following bills:

H. 943. To regulate and prescribe the manner of electing county commissioner of Talladega county.

H. 914. To amend an act entitled, "To fix the time of holding the circuit court in the third judicial circuit of the State of Alabama," as amended and approved April 7th, 1911.

H. 822. That the county treasurer or custodian of funds be authorized and directed to transfer all monies to the credit of the special jail fund to the credit of the general fund.

H. 693. To abolish the town of Hollins, a municipal corporation, in Clay county, Alabama, and to dissolve the incorporation thereof, and to provide for the disposition of the records of said town.

H. 976. To amend an act to establish an inferior court in precincts 15 and 20 in Calhoun county, Alabama, in lieu of all justices of the peace and notaries public, with powers of justices of the peace in said precincts, and to define the jurisdiction and powers of said courts and the judge thereof, to provide for the

execution of the process of said court and the operation thereof, to regulate the rendition of judgments by default, to provide for the election, term of office, qualifications and compensation of the officers for said court, and the mode of their selection, and to abolish the office of justice of the peace and notary public, with power of justice of the peace in said precincts. Approved August 25th, 1915.

H. 999. To provide for and regulate the payment of officers' costs in criminal cases where the defendant is acquitted or where States takes a nolle prosequi, or where case is abated by the death of defendant, or where the indictment is withdrawn and filed in counties having a population according to the last Federal census of not less than eighteen thousand three hundred and not exceeding eighteen thousand five hundred.

H. 975. To dissolve the municipal corporation of the town of James, Alabama.

H. 951. To provide for the consolidation of two cities or towns whose boundaries touch with a third town or city not contiguous to either but whose boundary line is within one mile or less of the boundary of either of the others, so as to include within the consolidated city or town the territory between such cities or towns, prescribe the manner in which such consolidation may be had, to provide for the organization of the municipal government of the consolidated city or town, to provide for the payment of the debts of each of the consolidated cities or towns, the performance of the existing contracts of each of said cities and towns, and the disposition of the property of each of the consolidating cities or towns.

H. 1039. To repeal an act entitled an act to provide for the construction, repairing, working and maintaining of the public roads of Russell county, Alabama, and to provide for the levying of a tax for the same and for punishing road defaulters, approved September 26th, 1903. Local Acts, 1903, page 355, et sequiter.

H. 508. To empower and direct the court of county commissioners of Henry county, Alabama, to pay from the general fund of said county for the publication of notices of intention to apply for the enactment of local laws for said county when the same are applicable to the entire county.

H. 777. To provide for the more efficient construction and maintenance of the public roads and bridges of Crenshaw county, Alabama; to provide for raising revenue for the same; to levy a vehicle license tax on automobiles, motor trucks and all motor vehicles owned and operated by citizens of Crenshaw county, Alabama; to prescribe the duties of the tax assessor and tax col-

lector of said county under this act; to provide penalties and punishment for the violation of this act, and to repeal conflicting laws.

MESSAGE FROM THE HOUSE.

Mr. President:

The Speaker having signed the following House bills your signature thereto is requested:

H. 650. To provide for the appointment of bailiffs in all courts of record in all counties of the State of Alabama having a population of 200,000 or more according to the last or any subsequent Federal census, and to fix the compensation of such bailiffs and to provide for the payment of such compensation.

H. 664. To provide for the printing and publication of the reports of the Supreme Court and the Court of Appeals of Alabama, and for the distribution or sale of same.

Fred H. Gormley,
Clerk.

SIGNING OF BILLS.

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the following bills:

H. 650. To provide for the appointment of bailiffs in all courts of record in all counties of the State of Alabama having a population of 200,000 or more, according to the last or any subsequent Federal census, and to fix the compensation of such bailiffs and to provide for the payment of such compensation.

H. 664. To provide for the printing and publication of the reports of the Supreme Court and the Court of Appeals of Alabama, and for the distribution or sale of same.

ADJOURNMENT.

On motion of Mr. McDowell and pursuant to Senate joint resolution heretofore adopted, the Senate, at 10:30 P. M., adjourned until 9 o'clock, Tuesday, September 23, 1919.

FORTY-EIGHTH DAY.

Tuesday, September 23, 1919.

The Senate met pursuant to adjournment, Lieutenant Governor Miller presiding.

PRAYER.

By Rev. Dr. Jenkins, Doorkeeper of the Senate.

ROLL CALL.

Present:

Mr. President and

Messrs:

Acker	Carlton	Huddleston	Prestwood
Baker	Carmichael	Kelly	Rogers (Lauderdale)
Beale	Cowan	Miller	Rogers (Sumter)
Bedsale	Craft	Moore	Sims
Briscoe	Espy	Morris	Smith (Coosa)
Brown	Evins	McDowell	Smith (Lawrence)
Butler	Gunter	Nance	Tally
Caffey	Harper	Phillips	West

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JOURNAL.

On motion of Mr. Carmichael, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

INTRODUCTION OF BILL.

Upon a call of districts the following bill was introduced, read one time and referred to appropriate standing committee, as follows:

By Mr. Gunter:

S. 770. To authorize beneficiaries or one or more of them in behalf of a class, to sue for damages in the cases mentioned in section 2486 of the Code.

Revision of Laws.

REPORTS OF COMMITTEES.

Mr. Butler, chairman of the Standing Committee on Finance and Taxation reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Waddell:

H. 1078. To provide for the relief of B. Ivey Burt, and to make an appropriation therefor.

By Mr. Long of Sumter:

H. 523. To provide for holding district and county fairs for boys' agricultural and girls' home demonstration clubs; to prescribe the manner in which they shall be held; to create boards of directors for district and county fairs for boys' agricultural and girls' home demonstration clubs in each county; to create fair districts for boys' agricultural and girls' home demonstration clubs in each county; to create fair district committees for boys' agricultural and girls' home demonstration clubs in each county; to provide for holding meetings of instruction for members of the boys' agricultural and girls' home demonstration clubs; to make appropriations for such fairs and to prescribe methods for drawing and spending same.

By Mr. Jones of Montgomery:

H. 1056. To fix the salary of all judges of probate in all counties in this State which now have, or which may hereafter have a population of as much as eighty-two thousand people and less than two hundred thousand people according to the last Federal census or any such census which may hereafter be taken, who are now or may hereafter be paid on a salary basis, and also for clerical help and other expenses and to provide for payment thereof.

By Mr. Ross:

H. 211. For the relief of Cora Rasco, of Jefferson county, Alabama, for the death of her husband, Robert F. Dickinson, who was killed by falling rock in Lucile Mine, in Bibb county, Alabama, on the 26th day of May, 1913, while in employment of the State of Alabama.

Mr. Cowan, chairman of the Standing Committee on Public Health, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Holmes of Baldwin (with amendment):

H. 583. To further revise, extend and amend the health and quarantine laws of the State of Alabama; to provide penalties for the violation of the provisions thereof; and to make appropriations to cover the expenses thereof.

Mr. Butler, chairman of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted

on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Lynne:

H. 1131. To fix the salaries of the chairman and two associate members of the State tax commission, and to prescribe the manner of payment of same.

Mr. Cowan, chairman of the Standing Committee on Public Health, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. McLeod:

H. 128. To amend chapter 230 of the Code of Alabama, of 1907, relating to hotels and innkeepers; and to include therein regulations of cafes, restaurants and eating places.

By Mr. Arnold:

H. 1033. To require the superintendent, manager, intern or other person in control or in charge of hospitals, and physicians, treating injured persons, to report, to the chief of police and sheriff, any and all injured persons coming into such hospital, in counties having a population of two hundred thousand or more, according to the last Federal census or any future Federal census and to fix penalties for the violation thereof.

H. 191. To promote the public health, convenience and welfare by leveeing, ditching, draining and pumping out the water from the wet, swamp and overflowed lands in all counties of Alabama having in them incorporated cities which now have or which may hereafter have a population of as much as fifty thousand and less than one hundred and twenty-five thousand people, according to the last Federal census or any such census which may hereafter be taken, and providing for the establishment of levee or drainage districts for the purpose of enlarging or changing any natural water courses and for digging ditches or canals for securing better drainage, or providing better outlets for drainage, for building levees or embankments and installing tide gates or pumping plants for the reclamation of overflowed and tidal lands and prescribing a method for so doing, and providing for the assessment and collection of the costs and expenses of the same, and issuing and selling bonds therefor and for the care and maintenance of such improvements when constructed.

Mr. Brown, chairman of the Standing Committee on Mining and Manufacturing, reported that said committee, in session, had acted on the following bill and ordered same returned to the Sen-

ate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Harrison:

H. 540. To provide bathing facilities for coal miners in this State.

Mr. Butler, chairman of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Dunnaway:

H. 913. To provide for the payment of the expenses and compensation of a guard incurred in bringing back to the State of Alabama from Little Rock, Arkansas, L. W. Griffith, a fugitive from justice, charged under proper process with the charge of burglary and grand larceny; and brought back to Alabama under due and legal authority and requisition of the governor of Alabama.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has originated and passed the following bill and ordered same sent to the Senate without engrossment:

H. 520. To amend sections 5443, 5444 and 5446 of the Code of Alabama, concerning quieting titles to land, and to make further provisions on that subject, and include removing of clouds in such cases.

Fred H. Gormley,
Clerk.

HOUSE MESSAGE.

The House bill in the foregoing House message was read once and referred to appropriate standing committee, as follows:

H. 520. To the Committee on Judiciary.

RESOLUTIONS.

Mr. McDowell offered the following Senate resolution:

S. R. 151. Resolved by the Senate, That House bill No. 583, known as the health bill, be made a special continuing order for the forty-ninth legislative day at 11 o'clock A. M.

Which was, under a suspension of the rules, adopted.

Mr. Acker offered the following Senate resolution:

S. R. 152. Resolved, That the following bills be and they are hereby made special, paramount and continuing orders for 12:00

noon on the forty-eighth legislative day, viz: S. 698, H. 844, H. 634, H. 698, H. 1125, S. 761.

Which was read and referred to the Standing Committee on Rules.

Mr. Carmichael offered the following Senate joint resolution:

S. J. R. 153. Resolved by the Senate, the House concurring, That when the two houses adjourn today it be till Thursday, September 25th, 1919; that when adjournment is had on Thursday it be till Saturday, September 27th, and that the Legislature adjourn sine die on Saturday, September 27, 1919.

Which was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE.

Mr. President :

The House originated and adopted the following House joint resolution:

H. J. R. 380. Resolved by the House, the Senate concurring, That the governor be requested to return to the House, House bill No. 951, for the purpose of correcting a clerical error, which error occurred in the enrollment of the bill, and that the presiding officers of the House and Senate be requested to erase their signatures from said bill.

And sends same herewith to the Senate.

Fred H. Gormley,
Clerk.

HOUSE MESSAGE.

On motion of Mr. Brown, H. J. R. 380, set out in the foregoing message, was concurred in and adopted by the Senate.

BILLS ON THIRD READING.

The bill:

H. 937. To provide for the payment of expenses for automobiles for the use of sheriffs in the discharge of their duties as such in counties of not less than 53,401, nor more than 53,501 population, according to the Federal census of 1910, or according to any subsequent Federal census.

Was taken up.

Mr. Evins offered the following amendment to said bill:

Amend the bill by striking out the figures 53,501 wherever they occur in the caption and body of the bill, and insert in lieu thereof the figures 58,501.

And the amendment was adopted.

Yeas, 20; nays, 0.

*Yeas:**Messrs:*

Acker	Carmichael	Miller	Prestwood
Bedsole	Cowan	Moore	Rogers (Lauderdale)
Butler	Evins	Morris	Rogers (Sumter)
Caffey	Gunter	McDowell	Smith (Coosa)
Carlton	Kelly	Phillips	West

—20

Nays:—None.

And said bill, as thus amended, was read a third time at length and passed.

Yeas, 20 ; nays, 0.

*Yeas:**Messrs:*

Acker	Carmichael	Miller	Prestwood
Bedsole	Cowan	Moore	Rogers (Lauderdale)
Butler	Evins	Morris	Rogers (Sumter)
Caffey	Gunter	McDowell	Smith (Coosa)
Carlton	Kelly	Phillips	West

—20

Nays:—None.

The bill:

H. 465. To amend an act to provide for the registration of electors.

Was read a third time at length and passed.

Yeas, 22 ; nays, 0.

*Yeas:**Messrs:*

Acker	Caffey	Miller	Phillips
Beale	Carlton	Moore	Prestwood
Bedsole	Carmichael	Morris	Smith (Coosa)
Briscoe	Cowan	McDowell	Smith (Lawrence)
Brown	Craft	Nance	West
Butler	Harper		

—22

Nays:—None.

The bill:

H. 408. To amend section 1067 of the Political Code of Alabama.

Was read a third time at length and passed.

Yeas, 20 ; nays, 0.

*Yeas:**Messrs:*

Acker	Caffey	Evins	Prestwood
Bedsole	Carlton	Kelly	Rogers (Lauderdale)
Briscoe	Carmichael	Leith	Rogers (Sumter)
Brown	Cowan	Miller	Smith (Lawrence)
Butler	Craft	McDowell	West

—20

Nays:—None.

The bill:

H. 978. To provide for the payment of ex-officio fees to clerks of circuit courts in all counties of this State having at the last Federal census over fifty thousand inhabitants and under fifty-five thousand inhabitants.

Was taken up.

Mr. Evins offered the following amendment to said bill:

Amend title of H. 978 by striking from the title the concluding words thereof, viz:

"Over fifty thousand inhabitants and under fifty-five thousand inhabitants" said words immediately following the words: "last Federal census" and insert in lieu thereof the words: "or any subsequent Federal census, a population of not less than 53,401 and not more than 58,401."

Amend section 1 of said bill by striking therefrom the words immediately following the words: "having a population" viz: the words: "of over fifty thousand inhabitants and under fifty-five thousand inhabitants according to the last Federal census" and inserting in lieu thereof the words: "of not less than 53,401 nor more than 58,401 according to the last preceding or any subsequent Federal census."

Which was adopted.

Yeas, 20; nays, 0.

Yeas:

Messrs:

Acker	Butler	Evins	Phillips
Beale	Caffey	Gunter	Rogers (Sumter)
Bedsole	Carlton	Kelly	Sims
Briscoe	Carmichael	Miller	Smith (Coosa)
Brown	Craft	Morris	West

—20

Nays:—None.

And said bill, as thus amended, was read a third time at length and passed.

Yeas, 20; nays, 0.

Yeas:

Messrs:

Acker	Butler	Craft	Moore
Beale	Caffey	Evins	McDowell
Bedsole	Carlton	Gunter	Phillips
Briscoe	Carmichael	Kelly	Rogers (Lauderdale)
Brown	Cowan	Miller	West

—20

Nays:—None.

The bill:

H. 798. For the relief of E. R. Bradford.

Was read a third time at length and passed.

Yeas, 20; nays, 0.

Yeas:

Messrs:

Acker	Butler	Evins	Phillips
Beale	Caffey	Gunter	Rogers (Sumter)
Bedsale	Carlton	Kelly	Sims
Briscoe	Carmichael	Miller	Smith (Coosa)
Brown	Craft	Morris	West

—20

Nays:—None.

The bill:

H. 832. To authorize and direct the sheriff of Marengo county to employ a janitor to keep the courthouse and grounds of said county in a cleanly and sanitary condition; and to authorize and direct the county depository of county funds, or other authority disbursing the funds of said county to pay the monthly salary of said janitor on warrants issued therefor by the probate judge of said county.

Was read a third time at length and passed.

Yeas, 20; nays, 0.

Yeas:

Messrs:

Acker	Butler	Evins	Phillips
Beale	Caffey	Gunter	Rogers (Sumter)
Bedsale	Carlton	Kelly	Sims
Briscoe	Carmichael	Miller	Smith (Coosa)
Brown	Craft	Morris	West

—20

Nays:—None.

The bill:

H. 512. To provide for absent qualified electors of the State of Alabama to vote in any general, special or municipal election in this State while absent from the State or from the county or precinct in which he is a qualified elector; to provide the method of carrying out such provision; and to require election officers and others charged with duties hereunder to perform duties in connection therewith.

Was taken up.

The Standing Committee on Privileges and Elections offered the following amendment to said bill, to-wit:

Amend the bill by striking out section two (2) thereof, and inserting in lieu thereof the following: ~~as follows:~~

"Section 2. That the absent voter so entitled to vote, provided at the time he requests such ballot his name is on the official list of qualified voters in such county, as a qualified voter there-

of, may procure from the judge of probate of the county of his residence an official ballot hereinafter provided for use in such election, and such voter shall make and subscribe the oath or affidavit hereinafter set out, and attach the same to his ballot, and forward the said ballot and affidavit in a sealed envelope by mail, postage prepaid, or otherwise to probate judge of the county in which such voter resides; whereupon, it shall be the duty of said probate judge to endorse on said envelope over his signature the date and hour of the receipt thereof by him, and to safely keep the said ballot without breaking the seal of said envelope, and deliver the same on election day, and during the time the polls are open, to the officers of election at the voting place of said absent voter, when and where said election officers shall open said envelope, and in the event the name of such absent voter appears on the official list of qualified voters as a qualified voter for said county and for said precinct or district, shall check his name off of such official voting list, and cause the said ballot to be duly and properly recorded subject, however, to challenge, as in other cases provided, and provided, however, that the same shall be handled in all respects as if the said absentee voter were present and voting in person."

Which was adopted.

Yeas, 16; nays, 8.

Yeas:

Messrs:

Carlton	Gunter	Moore	Prestwood
Carmichael	Harper	Morris	Smith (Coosa)
Craft	Kelly	McDowell	Smith (Lawrence)
Evins	Miller	Phillips	West

—16

Nays:

Messrs:

Acker	Brown	Caffey	Nance
Beale	Butler	Cowan	Sims

—8

Mr. Acker offered the following amendment to said bill:

Amend section 1 by striking out of said section the words: "or precinct" where said words appear after the word "county."

Which was adopted.

Yeas, 23; nays, 3.

Yeas:

Messrs:

Acker	Carlton	Moore	Prestwood
Beale	Carmichael	Morris	Rogers (Sumter)
Bedsole	Craft	McDowell	Sims
Briscoe	Evins	Morris	Smith (Coosa)
Butler	Gunter	McDowell	Smith (Lawrence)
Caffey	Harper	Nance	

—23

Nays:

Messrs:

Phillips

Rogers (Lauderdale) West

—3

And said bill, as thus amended, was read a third time at length and passed.

Yeas, 19; nays, 4.

Yeas:

Messrs:

Beale

Bedsole

Briscoe

Caffey

Carlton

Carmichael

Craft

Gunter

Harper

Kelly

Miller

Moore

Phillips

Rogers (Lauderdale)

Rogers (Sumter)

Sims

Smith (Coosa)

Smith (Lawrence)

West

—19

Nays:

Messrs:

Butler

Evins

Morris

Nance

—4

MESSAGE FROM THE HOUSE.

Mr. President:

The House has concurred in and adopted the Senate amendment to the bills:

H. 937. To provide for the payment of expenses for automobiles for the use of sheriffs in the discharge of their duties as such in counties of not less than 53,401, nor more than 53,501 population, according to the Federal census of 1910, or according to any subsequent Federal census.

H. 978. To provide for the payment of ex-officio fees to clerks of circuit courts in all counties of this State having at the last Federal census over fifty thousand inhabitants and under fifty-five thousand inhabitants.

Fred H. Gormley,
Clerk.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has concurred in and adopted the amendment proposed by the governor to the bill:

S. 412. To amend section 4 of "An act to fix the compensation of circuit judges, circuit solicitors, and assistant solicitors in all circuits of the State of Alabama which circuits are composed of only one county and having two or more judges or which circuits may hereafter have two or more judges, and to provide that a portion of such salaries be paid out of the county treasury of the counties constituting the respective circuits.

And has concurred in and adopted the amendment proposed by the governor to the bill:

S. 497. To provide for the election of county road engineers in counties having a population of not less than eighty thousand nor more than eighty-two thousand, according to the Federal census of 1910, and to fix their duties and compensation, and to make the county solicitor or his assistant the legal adviser for the county board of revenue and the county road engineer.

And returns said bills herewith to the Senate.

Fred H. Gormley,
Clerk.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has concurred in and adopted the report of the Committee of Conference on the disagreement of the two houses on the House amendment to the bill:

S. 279. To fix the compensation of members of the courts of county commissioners and boards of revenue in all counties having a population of not less than 30,900 and not more than 30,975, according to the last Federal census and to provide for the payment of the same.

And returns said bill together with the report of the Committee of Conference to the Senate.

Fred H. Gormley,
Clerk.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has refused to concur and adopt the conference report on the disagreement of the two houses on the House amendment to the bill:

S. 400. To fix the salary of the several circuit judges in Alabama.

Fred H. Gormley,
Clerk.

BILLS ON THIRD READING RESUMED.

The bill:

S. 762. To provide for the collection and distribution of license, privilege, income and franchise taxes which are required to be prorated among the State and any of the counties and towns thereof.

Was taken up.

Mr. Carmichael offered the following substitute for said bill, to-wit:

Amend Senate bill 762, by substituting the following:

A BILL

To be entitled an act to provide for the collection and distribution of license, privilege, income and franchise taxes which are required to be prorated among the State and any of the counties, cities and towns thereof.

Be it enacted by the Legislature of Alabama :

Section 1. That whenever any license, privilege, income or franchise taxes are required to be prorated among the State and any of the counties, cities and towns thereof, the State tax commission, after having determined the amount of such license, privilege, income or franchise tax to be paid by each taxpayer, shall notify said taxpayer by registered mail of the amount found to be due and cite him to pay the same into the State treasury; and said board shall also certify to the State treasurer the amount found to be due in each instance. And it shall be the duty of the State treasurer to collect the same and on the first day of each month or sooner, if in his judgment an emergency necessitates it, furnish a list of all such unpaid taxes, which are delinquent, to the attorney general and it shall be the duty of the attorney general to collect the same by suit or otherwise.

Section 2. It shall be the duty of the State auditor to draw his warrant on the State treasurer in favor of each county, city or town for any portion of such license, privilege, income or franchise tax to which such county, city or town is entitled and transmit said warrant to said county, city or town, provided, however, that the amount to be paid to any county, city or town from the proceeds derived from income taxes arising in any county, city or town shall be two and one-half per centum of such taxes arising in such county, city or town, as the case may be, and the balance be paid into the State treasury.

Section 3. All laws and parts of laws in conflict with the provisions of this act are hereby repealed.

Which was adopted.

Yeas, 28; nays, 1.

Yeas:

Messrs:

Acker	Caffey	Huddleston	Prestwood
Baker	Carlton	Kelly	Rogers (Sumter)
Beale	Carmichael	Miller	Sims
Bedsole	Cowan	Moore	Smith (Coosa)
Briscoe	Craft	Morris	Smith (Lawrence)
Brown	Evins	McDowell	Tally
Butler	Harper	Nance	West

Nays:

Mr. Gunter—1.

And said bill, as thus amended, was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 26; nays, 1.

Yeas:

Messrs:

Acker	Carlton	Miller	Rogers (Sumter)
Baker	Carmichael	Moore	Sims
Beale	Cowan	Morris	Smith (Coosa)
Bedsole	Craft	McDowell	Smith (Lawrence)
Brown	Harper	Nance	Tally
Butler	Huddleston	Prestwood	West
Caffey	Kelly		

—26

Nays:

Mr. Gunter—1.

The bill:

H. 1125. To amend subdivision 84 of section 361 of an act to provide for the general revenue of the State of Alabama, approved September 15th, 1919.

Was taken up.

Mr. Carmichael offered the following substitute for said bill, to-wit:

SUBSTITUTE FOR HOUSE BILL 1125.

A bill to be entitled an act to amend subdivision 84 of section 361 of an act to provide for the general revenue of the State of Alabama, approved September 10th, 1919.

Be it enacted by the Legislature of Alabama:

That subdivision 84 of section 361 of an act entitled, "An act to provide for the general revenue of the State of Alabama," approved September 10th, 1919, be and the same is hereby amended so as to read as follows:

A. Pistols, maxim silencers, etc., for person dealing in pistols, maxim silencers, bowie knives, dirk knives, brass knucks, or knucks of like kind, whether principal stock in trade or not; in cities and towns of thirty-five thousand inhabitants and over, one hundred and fifty dollars; in all other places, one hundred dollars.

B. Each retail dealer of non-alcoholic, carbonated or other soft drinks, the sale of which is not now prohibited by law, sold at retail in bottles shall pay a tax of one cent on each bottle sold at retail. Each person, firm or corporation engaged in the business of selling at retail such bottles drinks shall keep accurate books and records, showing the number of bottles sold daily, and such other information relating to the sales as may be required

by the State tax commission to enable the State tax officials to check up the returns herein required. At the end of each calendar month, every person, firm or corporation engaged in the business of selling such drinks at retail shall make a report to the State tax commission, on blanks to be furnished by the commission, showing the number of bottles of soft drinks sold during the preceding month and such other information as the commission may require, verified by affidavit, and shall with such report remit the tax herein provided for each bottles of soft drinks sold as shown by the report, and such remittance shall be made direct by the retailer into the State treasury. The tax officials of the State shall have authority to examine the books and papers of any one engaged in such business for the purpose of ascertaining the correctness of all reports and remittances. Any person wilfully failing or refusing to make the reports and remittances herein required shall be guilty of a misdemeanor. Any person wilfully making a false affidavit as to any report herein required shall be guilty of perjury.

C. 1. That whenever any license, privilege, income or franchise taxes are required to be prorated among the State and any of the counties, cities and towns thereof, the State tax commission, after having determined the amount of such license, privilege, income or franchise tax to be paid by each tax payer, shall notify said tax payer, by registered mail, of the amount found to be due and cite him to pay the same into the State treasury, provided that any tax payer may appeal within thirty days to the circuit court in his county from the decision of the State tax commission; and said board shall also certify to the State treasurer the amount found to be due in each instance. And it shall be the duty of the State treasurer to collect the same and on the first day of each month, or sooner, if in his judgment an emergency necessitates it, furnish a list of all such unpaid taxes, which are delinquent to the attorney general and it shall be the duty of the attorney general to collect the same by suit or otherwise.

C. 2. It shall be the duty of the State auditor to draw his warrant on the State treasurer in favor of each county, city or town for any portion of such license, privilege, income or franchise tax to which such county, city or town is entitled and transmit said warrant to said county, city or town. Provided, however, that the amount to be paid to any county, city or town from the proceeds derived from income taxes arising in such county, city or town shall be five per centum of such taxes arising in such county, city or town as the case may be and the balance be paid into the State treasury.

Which was adopted.

Yeas, 17; nays, 6.

Yeas:

Messrs:

Acker	Caffey	Harper	Nance
Beale	Carlton	Kelly	Sims
Bedsole	Carmichael	Miller	Smith (Lawrence)
Brown	Craft	Morris	West
Butler	Evins		

—17

Nays:

Messrs:

Baker	Phillips	Rogers (Lauderdale)	Tally
McDowell	Prestwood		

—6

And said bill, as thus amended, was read a third time at length and passed.

Yeas, 17; nays, 7.

Yeas:

Messrs:

Acker	Carlton	Harper	Morris
Beale	Carmichael	Kelly	Sims
Bedsole	Cowan	Miller	Smith (Lawrence)
Butler	Craft	Moore	West
Caffey			

—17

Nays:

Messrs:

Baker	Nance	Prestwood	Tally
McDowell	Phillips	Rogers (Lauderdale)	

—7

The bill:

S. 763. To provide an appropriation for the relief of needy Confederate soldiers, sailors and their widows.

Was taken up.

Mr. Acker offered the following amendment to said bill:

Amend by striking out the words: "One million seventy thousand dollars" and insert in lieu thereof, "One million three hundred and fifty thousand dollars."

Which was adopted.

Yeas, 26; nays, 0.

Yeas:

Messrs:

Acker	Caffey	Harper	McDowell
Baker	Carlton	Huddleston	Phillips
Beale	Carmichael	Kelly	Sims
Bedsole	Cowan	Miller	Smith (Coosa)
Briscoe	Evins	Moore	Tally
Brown	Gunter	Morris	West
Butler			

—26

Nays:—None.

And the bill, as thus amended, was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 26; nays, 0.

Yeas:

Messrs:

Acker	Carlton	Huddleston	Phillips
Baker	Carmichael	Kelly	Prestwood
Beale	Cowan	Miller	Sims
Bedsole	Craft	Moore	Smith (Coosa)
Briscoe	Evins	Morris	Tally
Brown	Gunter	McDowell	West
Butler	Harper		

—26

Nays:—None.

The bill:

S. 698. To require all county treasurers to receipt the dockets of all clerks, judges of probate, registers in chancery, sheriffs or any other officer of a court of record for all fees due the respective counties from said officers, where said officers now or may hereafter receive for their compensation a salary, and where said fees are due to be paid into the county treasury by said officers, and all fiduciary fees paid into the county treasury, as is provided by law.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 24; nays, 0.

Yeas:

Messrs:

Acker	Butler	Evins	Phillips
Baker	Caffey	Gunter	Rogers (Sumter)
Beale	Carlton	Harper	Smith (Coosa)
Bedsole	Carmichael	Huddleston	Smith (Lawrence)
Briscoe	Cowan	Miller	Tally
Brown	Craft	Nance	West

—24

Nays:—None.

The resolution:

S. J. R. 144. Relative to hazing in the institutions of learning.

Was adopted and ordered sent forthwith to the House without engrossment.

The bill:

H. 936. To amend section 1 of an act entitled an act "To designate certain public roads of the State of Alabama as State trunk roads and to provide the manner in which such roads shall

be located, improved and maintained," approved September 10, 1915.

Was read a third time at length and passed.

Yeas, 23; nays, 0.

Yeas:

Messrs:

Acker	Caffey	Harper	Rogers (Sumter)
Baker	Carmichael	Kelly	Smith (Coosa)
Beale	Cowan	Miller	Smith (Lawrence)
Bedsole	Craft	McDowell	Tally
Brown	Espy	Phillips	West
Butler	Gunter	Rogers (Lauderdale)	

—23

Nays:—None.

The bill:

H. 435. To submit to the qualified electors of the State, at the general election to be held in November, 1920, for their consideration, an amendment to the Constitution for the purpose of authorizing the several counties of the State to levy and collect a special road tax, not exceeding fifty cents, on each one hundred dollars worth of taxable property in such counties, under such regulations as the Legislature may have prescribed or may hereafter prescribe.

Was read a third time at length and passed.

Yeas, 24; nays, 0.

Yeas:

Messrs:

Acker	Butler	Evins	Rogers (Lauderdale)
Baker	Caffey	Harper	Rogers (Sumter)
Beale	Carlton	Miller	Sims
Bedsole	Carmichael	Moore	Smith (Lawrence)
Briscoe	Craft	Morris	Tally
Brown	Espy	Nance	West

—24

Nays:—None.

The bill:

S. 764. For the relief of Honor McNicholas, John Muldowney, Mary Muldowney Walsh, Martin J. Muldowney, Andrew George Muldowney and Nora Muldowney O'Hara.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 23; nays, 0.

Yeas:

Messrs:

Acker	Bedsole	Brown	Carlton
Beale	Briscoe	Butler	Carmichael

Cowan	Gunter	Morris	Smith (Lawrence)
Craft	Harper	Prestwood	Tally
Espy	Kelly	Rogers (Sumter)	West
Evins	Miller	Sims	

—23

Nays:—None.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has concurred in and adopted the Senate amendment to the bill:

H. 1125. To amend subdivision 84 of section 361 of an act to provide for the general revenue of the State of Alabama, approved September 10th, 1919.

Fred H. Gormley,
Clerk.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has reconsidered the vote by which it refused to concur and adopt the conference report on the disagreement of the two houses, on the House amendment to the bill:

S. 400. To fix the salary of the several circuit judges in Alabama.

And has concurred in and adopted said conference report on the disagreement of the two houses to the bill:

S. 400. To fix the salary of the several circuit judges in Alabama.

And returns said bill herewith to the Senate.

Fred H. Gormley,
Clerk.

HOUSE MESSAGE.

On motion of Mr. Evins, the Senate concurred in and adopted the report of the Committee of Conference on the disagreement of the two houses on the House amendment to Senate bill No. 400, the title of which is set out in the foregoing message from the House, and said conference report being in words and figures as follows:

To the Senate and House of Representatives:

The Committee of Conference appointed to consider the difference between the two houses over Senate bill No. 400, being "A bill to be entitled an act to fix the salaries of the several circuit judges in Alabama," have agreed upon the following report:

We recommend that the Senate concur in the House amendment reading as follows, to-wit:

"Amend S. 400 by adding thereto the following: Provided that in circuits now or hereafter composed of only one county and having two or

more judges, and in which salaries are paid to such judges by the counties constituting such circuits, in addition to the salaries paid by the State, such salaries shall continue to be paid to each of the judges in such circuits by the respective counties composing said circuits, in the manner now provided, which salaries so paid by the counties shall be in addition to the salary herein provided to be paid by the State."

We recommend that the House recede from and the Senate recede from its non-concurrence in the House amendment reading as follows: "Strike out the words \$4,500 where they appear and insert the figures "\$3,600," and that in lieu of said last quoted amendment the bill be amended by striking the words "five thousand" where they occur therein and inserting in lieu thereof the words "four thousand."

R. B. Evins,
B. T. Phillips,
Jno. Miller,

Committee on the part of the Senate.

W. H. Stoddard,
C. L. Tompkins,
A. Benners,

Committee on the part of House of
Representatives.

Yeas, 28; nays, 2.

Yeas:

Messrs:

Acker	Caffey	Harper	Prestwood
Baker	Carlton	Kelly	Rogers (Lauderdale)
Beale	Carmichael	Miller	Rogers (Sumter)
Bedsole	Craft	Moore	Sims
Briscoe	Espy	McDowell	Smith (Lawrence)
Brown	Evins	Nance	Tally
Butler	Gunter	Phillips	West

—28

Nays:

Messrs:

Huddleston Morris

—2

MESSAGE FROM THE HOUSE.

Mr. President:

The House has originated and passed the following bills and ordered same sent to the Senate without engrossment.

H. 378. To further suppress the evils of intemperance; to prohibit the manufacture, sale, giving away or having in possession any still, apparatus, appliance or any device or substitute therefor to be used in the manufacture of prohibited liquors and beverages.

Also:

H. 1043. To further provide for and regulate the safekeeping, care and custody of prisoners in jail, and to provide for the hygiene, sanitation, cleanliness, healthfulness, management and security of all jails including town and city jails, in towns and cities having a population of less than ten thousand, and to fur-

ther prescribe and define the duties of the State prison inspector, and to provide for the compensation of deputy jailers, watchmen or guards in certain cases and under certain conditions.

Also:

H. 1042. To further provide for and regulate the duties of the courts of county commissioners, or boards of revenue, in the purchase and preparation of food supplies for feeding prisoners under charge, or under conviction, of any indictable offense, confined in the county jails over which they have jurisdiction, and in making provision out of the county treasury for suitable food, clothing, lodging, medicine, and medical attention, for such of the convicts sentenced to jail, with or without hard labor for the county, as are not let to hire, under the provisions of article 5, chapter 191, of the Criminal Code of Alabama, and in the employment of such convicts, sentenced to hard labor for the county, as are ordered to labor on the public works of the county, and to further regulate and make provision for the reception, and safekeeping and feeding of convicts while being conveyed to the penitentiary, and to further regulate the accounting and payment for feeding prisoners in the county jails.

Also:

H. 862. To better secure compliance with the laws of Alabama, requiring instruction of all pupils in public schools, and in all schools and colleges supported in whole or in part by public money, or under State control, with reference to the effect of alcoholic drinks, stimulants and narcotics upon the human system.

H. 1127. To require every State official, or official holding office under the authority of the State, and who is paid a salary or receives pecuniary profit for his services as such official, and whose office or post of duty is located in the capitol building or in the city of Montgomery, to reside or live in or sufficiently near to the city of Montgomery as that such office or post of duty shall be reasonably accessible to him daily, and to provide for the impeachment or removal of such official on failure to comply with the requirements of this act.

Fred H. Gormley,
Clerk.

HOUSE MESSAGE.

The House bills in the foregoing House message were severally read once and referred to appropriate standing committees, as follows:

H. 378. To the Committee on Temperance.

H. 1043. To the Committee on Finance and Taxation.

H. 1042. To the Committee on Revision of Laws.

H. 862. To the Committee on Education.

H. 1127. To the Committee on Judiciary.

BILLS ON THIRD READING RESUMED.

The bill:

S. 761. To require every State official, or official holding office under the authority of the State, and who is paid a salary or receives pecuniary profit for his services as such official, and whose office or post of duty is located in the capitol building or in the city of **Montgomery**, to reside or live in or sufficiently near to the city of **Montgomery** as that such office or post of duty shall be reasonably accessible to him daily, and to provide for the impeachment or removal of such official on failure to comply with the requirements of this act.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 17; nays, 11.

Yeas:

Messrs:

Beale	Craft	Miller	Prestwood
Briscoe	Espy	Morris	Sims
Brown	Harper	Nance	Smith (Cocsa)
Butler	Kelly	Phillips	Smith (Lawrence)
Caffey			

—17

Nays:

Messrs:

Baker	Evins	Moore	Tally
Carlton	Gunter	McDowell	West
Carmichael	Huddleston	Rogers (Lauderdale)	

—11

PAIR ANNOUNCED.

Mr. Bedsole announced that he and Mr. Leith were paired on this vote; that Mr. Leith, if present, would vote "no" and he, Mr. Bedsole, would vote "yea."

Mr. Rogers of Sumter, announced that he and Mr. Ellis were paired on this vote; that Mr. Ellis, if present, would vote "no" and he, Mr. Rogers, would vote "yea."

The bill:

S. 623. To propose an amendment to section 256 of the Constitution of the State of Alabama, relating to the apportionment of the public school fund of the State; and providing for an election upon said proposed amendment.

Was read a third time at length and lost.

Yeas, 13; nays, 19.

Yeas:

Messrs:

Baker	Huddleston	Nance	Smith (Lawrence)
Brown	Kelly	Phillips	Tally
Craft	Morris	Prestwood	West
Harper			

—13

Nays:

Messrs:

Acker	Caffey	Evins	Rogers (Lauderdale)
Beale	Carlton	Gunter	Rogers (Sumter)
Bedsole	Carmichael	Miller	Sims
Briscoe	Cowan	Moore	Smith (Lawrence)
Butler	Espy	McDowell	

—19

MESSAGE FROM THE HOUSE.

Mr. President:

The Speaker of the House, having erased his signature from the bill:

H. 951. To provide for the consolidation of two cities or towns whose boundaries touch with a third town or city not contiguous to either but whose boundary line is within one mile or less of the boundary of either of the others, so as to include within the consolidated city or town the territory between such cities or towns, prescribe the manner in which such consolidation may be had, to provide for the organization of the municipal government of the consolidated city or town, to provide for the payment of the debts of each of the consolidated cities or towns, the performance of the existing contracts of each of said cities and towns, and the disposition of the property of each of the consolidating cities or towns.

you are therefore requested to erase your signature therefrom.

Fred H. Gormley,
Clerk.

HOUSE MESSAGE.

The President of the Senate, in the presence of the Senate, erased his signature from House bill No. 951, the title of which is set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has originated and passed the following bills and ordered same sent to the Senate without engrossment:

H. 813. To amend section 7000 of the Code of Alabama, 1907.

Also:

H. 935. To amend section 153 of the Code of Alabama.

Also:

H. 987. To declare a lien in favor of landlords upon livestock raised or grazed upon rented land.

Fred H. Gormley,
Clerk.

HOUSE MESSAGE.

The House bills in the foregoing House message were severally read once and referred to appropriate standing committees, as follows:

H. 812, H. 935, H. 987. To the Committee on Judiciary.

MESSAGE FROM THE HOUSE.

Mr. President:

The Speaker having signed the following House bills your signature thereto is requested:

H. 619. To create and establish a board of revenue in and for Morgan county, Alabama, in the place and stead of the commissioners' court now existing in said county, and abolishing said commissioners' court; to divide said county of Morgan into four districts, defining the boundaries thereof; providing that the present county commissioners shall be the members of said board of revenue for their unexpired term; fixing the term of office and providing for the election of subsequent members thereof; defining the jurisdiction of said board of revenue; fixing their compensation; conferring upon said board of revenue and the individual members thereof all the jurisdictions, powers and authority granted by law to county commissioners and to commissioners courts and boards of revenue in this State; authorizing the appointment by said board of revenue of a county auditor and a superintendent of public roads; providing for the holding of monthly meetings of said board of revenue beginning on the second Monday in each month; providing for the repeal of all laws in conflict with this act and, fixing the time when this act shall become operative.

H. 761. To provide for the more efficient construction and maintenance of the public roads and bridges of Crenshaw county; to provide for the election of a county engineer, to fix his salary and term of office and to prescribe his duties; to prescribe the duties of the commissioners court under this act; to provide revenue for the roads and bridges of the county; to levy a commutation fee of five dollars in lieu of road work; to levy a vehicle license tax for road purposes; to prescribe the duties of the tax assessor, tax collector, probate judge and sheriff under this act and to fix their compensation; to provide for the assessment and

collection of the taxes under this act; to provide for the punishment of persons violating the provisions of this act; to provide for the disposition of fines and forfeitures collected under this act and for the hire of county convicts under this act and to provide such other duties as may be necessary for the better and more efficient construction and maintenance of the public roads and bridges of the county.

H. 744. To ratify a resolution of the board of revenue of Jefferson county, Alabama, compromising the claim of Mrs. Effie McMickens against Jefferson county.

H. 877. Allowing costs and fees to officers for the service of process from juvenile courts and for feeding prisoners committed by or held for or under such courts.

H. 968. To repeal an act to provide for the better construction, repairing, working, and maintaining of public roads and bridges in Clay county, Alabama, approved April 8th, 1911.

H. 710. To abrogate and abolish the county courts of all counties in the State of Alabama, having a population, according to the last preceding and official and published Federal census, of not less than thirty-three thousand, and not exceeding thirty-three thousand eight hundred.

H. 709. To abrogate to and abolish the jurisdiction of justices of the peace and notaries public with powers of justices of the peace in Morgan county, Alabama; of all criminal causes, except as committing magistrates in felony cases.

H. 793. To authorize the city of Fairfield, in Jefferson county, Alabama, to levy taxes on all real and personal property, and franchises in said city, for the year beginning January 1, 1919, and ending December 31, 1919, and for each year thereafter; to provide the rate of said taxation; and to fix the value of property for taxation in said city; to provide when said taxes shall fall due and how same shall be collected and to fix the date of each tax year.

H. 895. To provide for the payment of salaries by the county to circuit judges in circuits composed of only one county, and having more than three judges, in addition to the salary paid by the State.

H. 712. To provide for the consolidation of adjacent or contiguous cities having each a population between four thousand and six thousand five hundred, according to the last preceding official and published Federal census, and to provide for the organization and officers of such consolidated city.

H. 952. To amend an act approved September 10th, 1915, entitled, "An act to designate certain public roads of the State of Alabama as State trunk roads and to provide the manner in

which such roads shall be located, improved and maintained," by adding an additional road thereto.

H. 665. To establish a county court for Morgan county; to define its jurisdiction and powers; to provide for its officers, their powers, duties and compensation; to provide that the said court shall be open at all times for the trial of cases and transaction of business; prescribing rules and procedure of said court; and to provide for the transfer of certain causes now or hereafter pending in the circuit court of Morgan county to the Morgan county court.

H. 995. To provide for the construction, care, maintenance, and improvement of the public roads of Franklin county; to provide funds, regulations, penalties, and officers to insure such constructions, care, maintenance, and improvement; to provide a county superintendent of roads, prescribe his qualifications, method of selection, term of office, salary, duties, powers; to prescribe in general the records to be kept by said superintendent; to provide that the court of county revenue shall have full powers over the road system; to provide beat supervisors, sections overseers, and other persons to carry out said work on the road system of the county; to prescribe the duties of individuals and corporations in regard to the enforcement of said road law.

H. 951. To provide for the consolidation of two cities or towns whose boundaries touch with a third town or city not contiguous to either but whose boundary line is within one mile or less of the boundary of either of the others, so as to include within the consolidated city or town the territory between such cities or towns, prescribe the manner in which such consolidation may be had, to provide for the organization of the municipal government of the consolidated city or town, to provide for the payment of the debts of each of the consolidated cities or towns, the performance of the existing contracts of each of said cities and towns, and the disposition of the property of each of the consolidating cities or towns.

Fred H. Gormley,
Clerk.

SIGNING OF BILLS.

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the following bills:

H. 619. To create and establish a board of revenue in and for Morgan county, Alabama, in the place and stead of the com-

missioners' court now existing in said county, and abolishing said commissioners' court; to divide said county of Morgan into four districts, defining the boundaries thereof; providing that the present county commissioners shall be the members of said board of revenue for their unexpired term; fixing the term of office and providing for the election of subsequent members thereof; defining the jurisdiction of said board of revenue; fixing their compensation; conferring upon said board of revenue and the individual members thereof all the jurisdictions, powers, and authority granted by law to county commissioners and to commissioners' courts and boards of revenue in this State; authorizing the appointment by said board of revenue of a county auditor and a superintendent of public roads; providing for the holding of monthly meetings of said board of revenue beginning on the second Monday in each month; providing for the repeal of all laws in conflict with this act, and fixing the time when this act shall become operative.

H. 761. To provide for the more efficient construction and maintenance of the public roads and bridges of Crenshaw county; to provide for the election of a county engineer, to fix his salary and term of office and to prescribe his duties; to prescribe the duties of the commissioners court under this act; to provide revenue for the roads and bridges of the county; to levy a commutation fee of five dollars in lieu of road work; to levy a vehicle license tax for road purposes; to prescribe the duties of the tax assessor, tax collector, probate judge and sheriff under this act and to fix their compensation; to provide for the assessment and collection of the taxes under this act; to provide for the punishment of persons violating the provisions of this act; to provide for the disposition of fines and forfeitures collected under this act and for the hire of county convicts under this act and to provide such other duties as may be necessary for the better and more efficient construction and maintenance of the public roads and bridges of the county.

H. 744. To ratify a resolution of the board of revenue of Jefferson county, Alabama, compromising the claim of Mrs. Effie McMickens against Jefferson county.

H. 877. Allowing costs and fees to officers for the service of process from juvenile courts and for feeding prisoners committed by or held for or under such courts.

H. 968. To repeal an act to provide for the better construction, repairing, working, and maintaining of public roads and bridges in Clay county, Alabama, approved April 8th, 1911.

H. 710. To abrogate and abolish the county courts of all counties in the State of Alabama, having a population, according

to the last preceding and official and published Federal census, of not less than thirty-three thousand, and not exceeding thirty-three thousand eight hundred.

H. 709. To abrogate to and abolish the jurisdiction of justices of the peace and notaries public with powers of justices of the peace in Morgan county, Alabama; of all criminal causes, except as committing magistrates in felony cases.

H. 793. To authorize the city of Fairfield, in Jefferson county, Alabama, to levy taxes on all real and personal property, and franchises in said city, for the year beginning January 1, 1919, and ending December 31, 1919, and for each year thereafter; to provide the rate of said taxation; and to fix the value of property for taxation in said city; to provide when said taxes shall fall due and how same shall be collected and to fix the date of each tax year.

H. 895. To provide for the payment of salaries by the county to circuit judges in circuits composed of only one county, and having more than three judges, in addition to the salary paid by the State.

H. 712. To provide for the consolidation of adjacent or contiguous cities having each a population between four thousand and six thousand five hundred, according to the last preceding official and published Federal census, and to provide for the organization and officers of such consolidated city.

H. 952. To amend an act approved September 10th, 1915, entitled, "An act to designate certain public roads of the State of Alabama as State trunk roads and to provide the manner in which such roads shall be located, improved and maintained," by adding an additional road thereto.

H. 665. To establish a county court for Morgan county; to define its jurisdiction and powers; to provide for its officers, their powers, duties and compensation; to provide that the said court shall be open at all times for the trial of cases and transaction of business; prescribing rules and procedure of said court; and to provide for the transfer of certain causes now or hereafter pending in the circuit court of Morgan county to the Morgan county court.

H. 995. To provide for the construction, care, maintenance, and improvement of the public roads of Franklin county; to provide funds, regulations, penalties, and officers to insure such constructions, care, maintenance, and improvement; to provide a county superintendent of roads, prescribe his qualifications, method of selection, term of office, salary, duties, powers; to prescribe in general the records to be kept by said superintendent; to provide that the court of county revenue shall have full pow-

ers over the road system; to provide beat supervisors, sections overseers, and other persons to carry out said work on the road system of the county; to prescribe the duties of individuals and corporations in regard to the enforcement of said road law.

H. 951. To provide for the consolidation of two cities or towns whose boundaries touch with a third town or city not contiguous to either but whose boundary line is within one mile or less of the boundary of either of the others, so as to include within the consolidated city or town the territory between such cities or towns, prescribe the manner in which such consolidation may be had, to provide for the organization of the municipal government of the consolidated city or town, to provide for the payment of the debts of each of the consolidated cities or towns, the performance of the existing contracts of each of said cities and towns, and the disposition of the property of each of the consolidating cities or towns.

MESSAGE FROM THE HOUSE.

Mr. President:

The Speaker having signed the following House joint resolution, your signature thereto is requested:

H. J. R. 121. Opposes the passage of the Chamberlain-Kahn compulsory military service bill, and urges the Alabama delegation in Congress to secure the defeat of this measure.

Fred H. Gormley,
Clerk.

SIGNING OF BILLS.

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the following bills:

H. J. R. 121. Opposes the passage of the Chamberlain-Kahn compulsory military service bill, and urges the Alabama delegation in Congress to secure the defeat of this measure.

REPORT FROM COMMITTEE ON ENROLLED BILLS.

Mr. President:

Your Standing Committee on Enrolled Bills, beg leave to report that said committee, in session, have compared the following enrolled bills, with the engrossed and original bills, respectively, and find same correctly enrolled, to-wit:

S. 346. To authorize sheriffs of counties having a population of not less than 30,815 nor more than 30,915, according to the Federal census of 1910, or any subsequent Federal census, to employ jailors, and to prescribe their duties and fix their salaries.

S. 262. To provide for the payment of expenses for automobiles for the use of sheriffs in the discharge of their duties as such, in counties of not less than 30,815, nor more than 30,915 population according to the Federal census of 1910, or according to any subsequent Federal census.

S. 288. To amend an act entitled an act to designate certain public roads of the State of Alabama, as State trunk roads, and to provide the manner in which such roads shall be located, improved and maintained.

S. 395. To change the amount, or fix the amount, of the salary or compensation to be paid to the county treasurer of any county in the State, having a population of eighty thousand or over, but not exceeding 150,000, according to the last or any succeeding Federal census; to provide the method and manner of its payment; and to repeal all laws or parts of laws, general, local, or special, in conflict with this act.

S. 383. To provide for the election of a county solicitor for Monroe county, to define his duties and fix his compensation.

S. 452. To amend section 2686 of the Code of Alabama of 1907.

S. J. R. 126. Relative to the rejection of the woman suffrage amendment.

S. 377. To authorize cities and towns of over five thousand population according to the last Federal census, or which shall have such population according to any Federal census taken thereafter, and situated in counties which have or which shall have, annually, taxable property in such counties of one hundred millions of dollars, or more, according to the assessments by such counties for the year A. D. 1918, or according to any annual assessments hereafter made, to acquire, construct, purchase, maintain, own, lease, use, control and operate railroads by any kind of motive power, and terminal facilities and other structures, appurtenant thereto, in aid of commerce and the transportation of passengers, within, across, in or through the territory of such counties in which such cities and towns are situated or adjacent counties, and to issue bonds, grant money and property to carry into execution these powers.

S. 351. To require the court of county commissioners or body of similar jurisdiction of Pike county, Alabama, to allow to the clerk of the circuit court of said county, three dollars per

day during term times, as a preferred claim against the general fund of said county, for the purpose of paying an assistant employed by him to assist him in the performance of his duties as such clerk during the term times of circuit courts held in said county.

S. 364. To define lawful fences in all counties the population of which by the last Federal census was not less than 80,000 nor more than 82,000.

S. 461. To designate a certain public road of Alabama as a State trunk road, and to provide the means by which such State trunk road shall be improved and maintained.

S. 479. To regulate and fix the compensation of witnesses before the grand jury and in all cases in the county court and circuit court of Clarke county.

S. 375. To provide for the acquirement, construction, ownership, lease, maintenance, use, control and operation by counties of Alabama which have or which shall have taxable property in such counties of one hundred millions of dollars annually, or more, according to the assessments by such counties for the year of 1918 A. D., or according to the annual assessments to be hereafter made, of highways, of railroads—by any kind of motive power; freight stations; passenger stations; wharves; piers; docks; warehouses; grain elevators; storage tanks; team trucks; and all other facilities and structures appurtenant thereto, by the issue of bonds, not exceeding one per cent, in addition to the limit of county indebtedness, of such taxable property in such counties; the holding of elections to decide whether such counties shall issue such bonds; to authorize the county internal improvement commission, a county agency, to sell said bonds and to account to the board of revenue therefor of the county; to levy and collect a special tax, not exceeding twenty cents on each one hundred dollars of taxable property, to be in addition to the maximum rate prescribed; exemption from State, county and municipal taxation of such bonds; to become effective upon ratification of an amendment to the Constitution of Alabama; and same power to new counties formed from such counties.

S. 376. To authorize and empower all counties of Alabama which have or shall have taxable property in such counties of one hundred million of dollars annually, or more, according to any annual assessment to be made thereafter, to acquire, construct, purchase, own, lease, maintain, use, control, and operate highways, railroads, and terminals and all facilities and structures appurtenant thereto; for the performance of the obligation of warehousemen and common carrier in aid of commerce; to establish reasonable charges for such service; within its own

territory; or across, on or through adjacent counties; to establish a commission as a county agency for the performance of this authority and power; to purchase and condemn private property for the above purpose; to dispose of net profits from the operation of the facilities herein described; that private capital shall not be prevented from engaging in the same enterprise; that the power and authority herein described shall become effective immediately upon the ratification of an amendment to the Constitution of Alabama.

S. 589. To establish inferior courts in lieu of all justices of the peace and notaries public with power of justice of the peace in precincts lying within or partly within the county seats of all counties in the State of Alabama, having a population of not less than 26,800 and not exceeding 26,900 according to the Federal census of 1910; or any subsequent Federal census; provided said county seats have a population of 1,500 or more according to the Federal census of 1910, or any subsequent Federal census; to define jurisdiction and powers of said courts and judges and officers thereof and to provide for a place of holding said courts, terms and salaries of the judges and officers of said courts and the manner of their appointment or election and the payment of their salaries.

S. 271. To provide for notice to the plaintiff of the filing of pleas of set off, recoupment or any other plea upon which a judgment by default may be taken, and to regulate the taking of judgments by default or such pleas.

S. 309. To provide for the establishment and maintenance of a home for mental inferiors in Alabama; to define who are mental inferiors; to provide for their care, treatment and training and to appropriate the money necessary therefor from the State treasury.

S. 12. To provide pensions for soldiers and sailors in the service of the State of Alabama and for their widows and for soldiers and sailors in the army or navy of the Confederate States of America and for their widows and for the regulation of the payment thereof and to constitute and appoint a pension commission for the State of Alabama and prescribe its powers and duties.

S. 470. To provide a complete educational system for the State of Alabama; to provide a public school fund; to provide for the administration of the public schools and create a State board of education and prescribe its powers and duties; to create county and city boards of education, to define their respective powers and duties, to provide for the payment of their necessary expenses and equipment, including furniture; to provide for the

holding of elections for the one mill county tax on each dollar of taxable property under the Constitution of 1901; to provide for the holding of elections for the county tax of three mills or less on each dollar of taxable property under the amendment to the Constitution of 1901; to provide for the holding of elections for the district tax of three mills or less on each dollar of taxable property, and to prescribe the method of holding such elections; to prescribe the duties and powers of the State superintendent of education and to fix his compensation; to provide for the organization of the State department of education; to provide for the appointment of county superintendents of education, to define their duties and powers and to provide for their compensation; to provide for boards of school trustees; to provide for the appointment of city superintendents of education, to define their duties and powers, and to provide for their compensation; to provide for supervisors of schools in the various counties and cities, to fix their duties and powers, and provide for their compensation; to provide for the use of a bonus fund for counties levying and collecting a special county tax for school purposes, and to fix the amount in accordance with the rate of such special tax; to provide for a county treasurer of school funds; to provide for compulsory attendance upon the schools of the State within certain ages, to fix penalties, to provide for the appointment of attendance officers and to define their duties and fix their compensation and to provide the method of enforcing compulsory attendance within the ages prescribed; to provide for the certification of teachers, and to provide for the use of appropriations for the issuance of certificates and for the conduct of teachers' institutes, for the training of teachers in service, and provide the necessary clerical and other assistants; to provide financial assistance for the erection, repair and equipment of rural schoolhouses, and to prescribe the conditions under which such assistance may be obtained; to provide for the sale and conveyance of certain lands that have been conveyed to the State for school purposes; to provide for rural libraries throughout the State, including the method by which assistance may be obtained; to provide for vocational education and for the use of appropriations therefor; to provide for the removal of illiteracy among adults as well as among minors, and for the use of appropriations therefor; to provide uniform textbooks throughout the State and to authorize the creation of a State textbook committee and to define its powers and duties; to provide for county high schools and prescribe the conditions under which such county high schools may obtain assistance from the State, and to authorize such county high schools to receive financial assistance from coun-

ty boards of revenue, boards of education, school districts or private sources; to provide for county high school treasurers, to fix their bonds and prescribe their powers and duties and to provide for the payment of the premiums upon their bonds; to provide for county treasurers of school funds, to fix their bonds and prescribe their powers and duties and to provide for the payment of the premiums upon their bonds; to provide for changing the name of the nine branch agricultural schools and experiment stations, or district agricultural schools, and of the Northeast Alabama Agricultural and Industrial Institute to State secondary agricultural schools, to provide for their management and control and for their continuance upon the meeting of certain requirements and for the use of appropriations therefor; to provide for certain State normal schools and for their control and management and for the use of appropriations therefor; to provide for the creation of the Alabama School of Trades and Industry and for its control and management; to provide for changing the name of the Agricultural and Mechanical College for Negroes to Agricultural and Mechanical Institute for Negroes, and to provide for its management and control and for the use of appropriations therefor; to provide for changing the name of the school heretofore established at Montevallo as the Alabama Girls' Industrial School, later called the Alabama Girls' Technical Institute, to the name of the Alabama Technical Institute and College for Women; to create a board of trustees for each institute, to prescribe their powers and duties, their method of appointment, and length of service, and for the use of appropriations therefor; to provide for the management and control of the Alabama Polytechnic Institute, to define the powers and duties of the board of trustees, the method of appointment of such trustees, and for the use of appropriations to said institute; to provide for the management and control of the University of Alabama, to define the duties and powers of the trustees, the method of appointment of such trustees, and for the use of appropriations to the University; to provide for a summer school at the University of Alabama and for the use of appropriations therefor; to create a State council of education and to prescribe its powers and duties; to provide for the management and control of the Alabama Institute for the Deaf; of the Alabama Academy for the Blind, and of the Alabama School for Negro Deaf and Blind, to create a board of trustees therefor and to provide for the method of their appointment and the length of service and for the use of appropriations therefor; to provide for the establishment and maintenance of the Alabama Boys' Industrial School, to provide for the management and control thereof, and for the appointment of

a board of directors, to define their powers and duties and the method of committing boys thereto, and for the use of appropriations therefor; to provide for the maintenance and establishment of the Alabama school for Juvenile Negro Lawbreakers; to provide for the management and control thereof, and for the appointment of a board of directors, to define their powers and duties, and for the method of committing boys thereto, and for the use of appropriations for such school; to provide for the lease and sale of school lands in the State; to make certain requirements with reference to the bonds of officials and employees authorized under the provisions of this act; to require county and city boards of education to give regular instruction in all schools under their direction as to the nature of alcoholic drinks, tobacco and other narcotics; to require private, denominational and parochial schools to make reports; to provide penalties for the violation of the provisions of this act and to provide for the repeal of inconsistent laws enacted hereafter.

S. 159. To provide and prescribe an additional mode of service in all proceedings in the courts of this State upon non-residents of this State, and upon residents of this State, who have been absent from the State for at least six months prior to the institution of such proceedings and upon any and all residents of this State, who conceal themselves so that process cannot be served upon them, and to declare the force and effect of such service; and to prescribe the time within which orders, judgments and decrees rendered in such proceedings upon such service shall become final.

Chas. McDowell, Jr.,
Chairman.

SIGNING OF BILLS.

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the following bills:

S. 346. To authorize sheriffs of counties having a population of not less than 30,815 nor more than 30,915, according to the Federal census of 1910, or any subsequent Federal census, to employ jailors, and to prescribe their duties and fix their salaries.

S. 262. To provide for the payment of expenses for automobiles for the use of sheriffs in the discharge of their duties as such, in counties of not less than 30,815, nor more than 30,915 population according to the Federal census of 1910, or according to any subsequent Federal census.

S. 288. To amend an act entitled an act to designate certain public roads of the State of Alabama, as State trunk roads, and to provide the manner in which such roads shall be located, improved and maintained.

S. 395. To change the amount, or fix the amount, of the salary or compensation to be paid to the county treasurer of any county in the State, having a population of eighty thousand or over, but not exceeding 150,000, according to the last or any succeeding Federal census; to provide the method and manner of its payment; and to repeal all laws or parts of laws, general, local, or special, in conflict with this act.

S. 383. To provide for the election of a county solicitor for Monroe county, to define his duties and fix his compensation.

S. 452. To amend section 2686 of the Code of Alabama of 1907.

S. J. R. 126. Relative to the rejection of the woman suffrage amendment.

S. 377. To authorize cities and towns of over five thousand population according to the last Federal census or which shall have such population according to any Federal census taken thereafter, and situated in counties which have or which shall have annually taxable property in such counties of one hundred millions of dollars or more according to the assessment by such counties for the year A. D. 1918, or according to any annual assessment hereafter made to acquire, construct, purchase, maintain, own, lease, use, control and operate and to grant public money and things of value in aid of railroads, by any kind of motive power and terminal facilities and other structures appurtenant thereto, in aid of commerce and the transportation of passengers, within, across in or through the territory of such counties in which such cities and towns are situated or adjacent counties, and to issue bonds, grant money and property to carry into execution these powers.

S. 351. To require the court of county commissioners or body of similar jurisdiction of Pike county, Alabama, to allow to the clerk of the circuit court of said county, three dollars per day during term times, as a preferred claim against the general fund of said county, for the purpose of paying an assistant employed by him to assist him in the performance of his duties as such clerk during the term times of circuit courts held in said county.

S. 364. To define lawful fences in all counties the population of which by the last Federal census was not less than 80,000 nor more than 82,000.

S. 461. To designate a certain public road of Alabama as a State trunk road, and to provide the means by which such State trunk road shall be improved and maintained.

S. 479. To regulate and fix the compensation of witnesses before the grand jury and in all cases in the county court and circuit court of Clarke county.

S. 375. To provide for the acquirement, construction, ownership, lease, maintenance, use, control, and operation by counties of Alabama which have or which shall have taxable property in such counties of one hundred millions of dollars annually, or more, according to the assessments by such counties for the year 1918 A. D., or according to the annual assessment to be hereafter made, of highways, of railroads, by any kind of motive power; freight stations; passenger stations; wharves; piers; docks; ware houses; grain elevators; storage tanks; team trucks; and all other facilities and structures appurtenant thereto, by the issue of bonds, not exceeding one per cent, in addition to the limit of county indebtedness, of such taxable property in such counties; the holding of elections to decide whether such counties shall issue such bonds; to authorize the county internal improvement commission, a county agency, to sell said bonds and to account to the board of revenue therefor of the county; to levy and collect a special tax not exceeding twenty cents on each one hundred dollars of taxable property, to be in addition to the maximum rate prescribed; exemption from State, county and municipal taxation of such bonds; to become effective upon ratification of an amendment to the Constitution of Alabama; and same power to new counties formed from such counties.

S. 376. To authorize and empower all counties of Alabama which have or shall have taxable property in such counties of one hundred million of dollars annually, or more, according to any annual assessment to be made thereafter, to acquire, construct, purchase, own, lease, maintain, use, control, and operate highways, railroads, and terminals and all facilities and structures appurtenant thereto; for the performance of the obligation of warehousemen and common carrier in aid of commerce; to establish reasonable charges for such service; within its own territory; or across, on or through adjacent counties; to establish a commission as a county agency for the performance of this authority and power; to purchase and condemn private property for the above purpose; to dispose of net profits from the operation of the facilities herein described; that private capital shall not be prevented from engaging in the same enterprise; that the power and authority herein described shall become effective immediately upon the ratification of an amendment to the Constitution of Alabama.

S. 589. To establish inferior courts in lieu of all justices of the peace and notaries public with power of justices of the peace in precincts lying within or partly within the county seats of all counties in the State of Alabama having a population of not less than twenty-six thousand eight hundred and not exceeding twenty-six thousand nine hundred according to the Federal census of 1910, or any subsequent Federal census, provided said county seats have a population of fifteen hundred or more according to the Federal census of 1910, or any subsequent Federal census: to define jurisdiction and powers of said courts and judges and officers thereof and to provide for a place of holding said courts, terms and salaries of the judges and officers of said courts and the manner of their appointment or election and the payment of their salaries.

S. 271. To provide for notice to the plaintiff of the filing of pleas of set-off, recoupment or any other plea upon a judgment by default may be taken, and to regulate the taking of judgments by default on such pleas.

S. 309. To provide for the establishment and maintenance of a home for mental inferiors in Alabama; to define who are mental inferiors; to provide for their care, treatment, and training, and to appropriate the money necessary therefor from the State treasury.

S. 12. To provide pensions for soldiers and sailors in the service of the State of Alabama and for their widows and for soldiers and sailors in the army or navy of the Confederate States of America and for their widows, and for the regulation of the payment thereof, and to constitute and appoint a pension commission for the State of Alabama and prescribe its powers and duties.

S. 470. To provide a complete educational system for the State of Alabama; to provide a public school fund; to provide for the administration of the public schools and create a State board of education and prescribe its powers and duties; to create county and city boards of education, to define their respective powers and duties, to provide for the payment of their necessary expenses and equipment, including furniture; to provide for the holding of elections for the one mill county tax on each dollar of taxable property under the Constitution of 1901; to provide for the holding of elections for the county tax of three mills or less on each dollar of taxable property under the amendment to the Constitution of 1901; to provide for the holding of elections for the district tax of three mills or less on each dollar of taxable property, and to prescribe the method of holding such elections; to prescribe the duties and powers of the State superintendent of education and to fix his compensa-

tion; to provide for the organization of the State department of education; to provide for the appointment of county superintendents of education, to define their duties and powers and to provide for their compensation; to provide for boards of school trustees; to provide for the appointment of city superintendents of education, to define their duties and powers, and to provide for their compensation; to provide for superintendents of schools in the various counties and cities, to fix their duties and powers, and provide for their compensation; to provide for the use of a bonus fund for counties levying and collecting a special county tax for school purposes, and to fix the amount in accordance with the rate of such special tax; to provide for a county treasurer of school funds; to provide for compulsory attendance upon the schools of the State within certain ages, to fix penalties, to provide for the appointment of attendance officers and to define their duties and fix their compensation and to provide the method of enforcing compulsory attendance within the ages prescribed; to provide for the certification of teachers, and to provide for the use of appropriations for the issuance of certificates and for the conduct of teachers' institutes, for the training of teachers in service, and provide the necessary clerical and other assistants; to provide financial assistance for the erection, repair and equipment of rural schoolhouses, and to prescribe the conditions under which such assistance may be obtained; to provide for the sale and conveyance of certain lands that have been conveyed to the State for school purposes; to provide for rural libraries throughout the State, including the method by which assistance may be obtained; to provide for vocational education and for the use of appropriations therefor; to provide for the removal of illiteracy among adults as well as among minors, and for the use of appropriations therefor; to provide uniform textbooks throughout the State and to authorize the creation of a State textbook committee and to define its powers and duties; to provide for county high schools and prescribe the conditions under which such county high schools may obtain assistance from the State, and to authorize such county high schools to receive financial assistance from county boards of revenue, boards of education, school districts or private sources; to provide for county high school treasurers, to fix their bonds and prescribe their powers and duties and to provide for the payment of the premiums upon their bonds; to provide for county treasurers of school funds, to fix their bonds and prescribe their powers and duties and to provide for the payment of the premiums upon their bonds; to provide for changing the name of the nine branch agricultural schools and experiment stations, or district agricultural schools, and of

the Northeast Alabama Agricultural and Industrial Institute to State secondary agricultural schools; to provide for their management and control and for their continuance upon the meeting of certain requirements and for the use of appropriations therefor; to provide for certain State normal schools and for their control and management and for the use of appropriations therefor; to provide for the creation of the Alabama School of Trades and Industry and for its control and management; to provide for changing the name of the Agricultural and Mechanical College for Negroes to Agricultural and Mechanical Institute for Negroes, and to provide for its management and control and for the use of appropriations therefor; to provide for changing the name of the school heretofore established at Montevallo as the Alabama Girls' Industrial School, later called the Alabama Girls' Technical Institute, to the name of the Alabama Technical Institute and College for Women; to create a board of trustees for each institute, to prescribe their powers and duties, their method of appointment, and length of service, and for the use of appropriations therefor; to provide for the management and control of the Alabama Polytechnic Institute, to define the powers and duties of the board of trustees, the method of appointment of such trustees, and for the use of appropriations to said institute; to provide for the management and control of the University of Alabama, to define the duties and powers of the trustees, the method of appointment of such trustees, and for the use of appropriations to the University; to provide for a summer school at the University of Alabama and for the use of appropriations therefor; to create a State council of education and to prescribe its powers and duties; to provide for the management and control of the Alabama Institute for the Deaf; of the Alabama Academy for the Blind, and of the Alabama School for Negro Deaf and Blind, to create a board of trustees therefor and to provide for the method of their appointment and the length of service and for the use of appropriations therefor; to provide for the establishment and maintenance of the Alabama Boys' Industrial School, to provide for the management and control thereof, and for the appointment of a board of directors, to define their powers and duties and the method of committing boys thereto, and for the use of appropriations therefor; to provide for the maintenance and establishment of the Alabama school for Juvenile Negro Lawbreakers; to provide for the management and control thereof, and for the appointment of a board of directors, to define their powers and duties, and for the method of committing boys thereto, and for the use of appropriations for such school; to provide for the lease and sale of school lands in the State; to

make certain requirements with reference to the bonds of officials and employees authorized under the provisions of this act; to require county and city boards of education to give regular instruction in all schools under their direction as to the nature of alcoholic drinks, tobacco and other narcotics; to require private, denominational and parochial schools to make reports; to provide penalties for the violation of the provisions of this act and to provide for the repeal of inconsistent laws enacted hereafter.

S. 159. To provide and prescribe an additional mode of service in all proceedings in the courts of this State upon non-residents of this State, and upon residents of this State, who have been absent from the State for at least six months prior to the institution of such proceedings, and upon any and all residents of this State, who conceal themselves so that process can not be served upon them; and to declare the force and effect of such service; and to prescribe the time within which orders, judgments and decrees rendered in such proceedings upon such service shall become final.

RECESS.

On motion of Mr. Carmichael, the Senate at 1:20 P. M., took a recess until 2:30 this afternoon.

AFTERNOON SESSION—FORTY-EIGHTH DAY.

Tuesday, September 23, 1919.

The Senate re-assembled at 2:30 o'clock P. M., Lieutenant Governor Miller presiding.

ROLL CALL.

On a call of the roll, 30 members answered to their names, a quorum of the Senate.

REPORTS OF COMMITTEES.

Mr. Phillips, chairman of the Standing Committee on Privileges and Elections, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Edwards:

H. 1028. To provide for elections, to be held at the time of the holding general elections in this State in all counties in which

local county stock laws are now in force, having not less than 30,815 nor more than 30,915 population, either by the Federal census of 1910, or by any subsequent census to ascertain whether a majority of the qualified electors of such counties desire or favor a modification of said local stock law.

By Mr. Austin:

H. 202. To amend section 5888 of the Code of Alabama 1907. (Relates the time of holding of elections for stock law districts.)

Mr. Cowan, chairman of the Standing Committee on Public Health, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Holmes of Baldwin:

H. 765. To amend sections 1632 and 1636 of the Code of Alabama, 1907.

Mr. Acker, chairman of the Standing Committee on Judiciary, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Lynne:

H. 900. To confer additional powers, authority and jurisdiction on and to further prescribe the duties of the board of control and economy created by the act of the Legislature, approved February 13, 1919; to abolish the board of convict inspectors and the offices of the members and employees thereof and to confer upon the State board of control and economy all the power, authority and jurisdiction heretofore exercised by or under the authority of the State board of convict inspectors, and additional powers and authority, including authority and power to provide for the segregation, care, custody and treatment of tubercular persons; and to impose upon the board of control and economy all the duties heretofore required of the State board of convict inspectors and additional duties; to confer upon the board of control and economy general supervision and authority over the office of the State prison inspector who shall henceforth discharge the duties of his office in connection with and as part of the work of the State board of control and economy; to confer upon the board of control and economy certain duties and authority with reference to the purchasing and supplies of the public printing and binding, stationery, fuel and paper, and other powers and authority incident to the more efficient control and coordination of the business operations of the State; (also provid-

ing for the necessary appropriations to pay all salaries, wages and other expenses and outlays authorized to be paid or incurred in this and the said original act of February 13, 1919.

By Mr. Baker:

H. 380. To regulate the taking of non-suits in suits at law in all the courts of the State of Alabama.

By Mr. Jones of Montgomery:

H. 1035. To amend section 3793 of the Code of 1907.

H. 1076. To provide that in all the counties of the State of Alabama having a population of not less than 39,920 nor more than 39,925 according to the last preceding Federal census, that the interest on all interest bearing warrants issued from and after the passage and approval of this act, by the court of county commissioners, board of revenue or other governing body of such counties, by whatever name called, shall be a preferred claim against the general fund of such counties, shall be payable out of the general fund of such counties each year, and to provide the time and manner of the payment of such interest out of said general fund.

By Mr. Allen:

H. 1077. To provide that in all counties of the State of Alabama, having a population of not less than 39,920 nor more than 39,925 according to the last preceding Federal census, the interest on outstanding road warrants issued by such counties, where such outstanding road warrants amount to the sum of \$140,000.00 and bear interest at the rate of six (6%) per centum per annum, shall become a preferred claim against the general fund of such counties, shall be paid out of the general fund of such counties and to provide the manner of the payment of such interest.

By Mr. Graham:

H. 578. To authorize the court of county commissioners, board of revenue, or other governing body of any county in this State which has outstanding an indebtedness evidenced by warrants which have been regularly issued and registered, to settle, adjust and refund the same, and for that purpose to issue new warrants of said county.

Mr. West, chairman of the Standing Committee on Local Legislation, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Carnley:

H. 600. Regulating the fine and forfeiture fund of Coffee county.

By Mr. Brindley:

H. 591. To regulate the office of tax assessor in all counties of the State of Alabama which has a population of as much as 33,781 and not more than 33,800 according to the last Federal census and fix the compensation of such tax assessors and to provide for the payment thereof.

By Mr. Jones of Montgomery:

H. 1068. To vacate the dedication of all streets, roads, avenues and alleys through, over, on or across the following described property, situated in the county of Montgomery and State of Alabama, to-wit: Beginning at the half mile corner in the center of section ten (10), township sixteen (16), range seventeen (17); thence west twenty-one hundred forty-five (2,145) feet to the right of way of the Mobile & Ohio railroad; thence along said railroad right of way north forty (40°) degrees thirty (30') minutes west twenty-eight hundred two (2,802) feet; thence and continue with said railroad right of way north forty-two and one-half (42½°) degrees west one hundred ninety-four (194) feet to a stake; thence north forty-nine (49°) degrees thirty (30') minutes east twelve hundred forty-three (1,243) feet; thence north seventy-two and one-half (72½°) degrees east nine hundred sixty-two (962) feet to the Washington Ferry road; thence along the west side of said road south fifty-three and one-half (53½°) degrees east nine hundred (900) feet; thence and continue with said road south forty-five and one-half (45½°) degrees east two hundred twenty-five (225) feet; thence and continue with said road south thirty-nine (39°) degrees thirty (30') minutes east five hundred (500) feet; thence and continue with said road south thirty (30') minutes east one hundred one (101) feet; thence and continue with said road south sixteen (16°) degrees east five hundred (500) feet; thence and continue with said road south thirty (30') minutes east five hundred (500) feet; thence and continue with said road south twenty (20°) degrees east one hundred eighty (180) feet; thence and continue with said road south twenty-seven (27°) degrees east eighty-nine (89) feet to a stake; thence south one (1°) degree west five hundred eighty-one (581) feet to a stake; thence east three hundred seventy-seven (377) feet to a stake; thence south along the half section line five hundred eighty-seven (587) feet and to a point three hundred seventy-three (373) feet north of the said center of section ten (10); thence south fifty-seven and one-half (57½°) degrees east ninety-four (94) feet; thence south eighty-six (86°) degrees east eight hundred nineteen (819) feet; thence south fifteen (15°) degrees east two hundred sixty-four (264) feet to a stake; thence west forty-one (41) feet;

thence south fifteen (15°) degrees east two thousand sixty-five (2,065) feet to the Selma road, thence along said road south seventy-five (75°) degrees west five hundred seven (507) feet; thence south fifty-four (54°) degrees west one hundred forty-two (142) feet along the said road, thence and continue with said Selma road south forty-four (44°) degrees west five hundred forty-three (543) feet to the intersection of the right of way of the Mobile & Ohio railroad; thence along and with the curvature of said railroad right of way north seventy-two (72°) degrees west two hundred seventy (270) feet; thence and continue with said railroad right of way north sixty-five and one-half (65½°) degrees west two hundred forty-five (245) feet to the half section line dividing section ten (10); thence north along said half section line twenty-four hundred twenty (2,420) feet to the center of section ten (10), township sixteen (16), range seventeen (17), the said point of beginning.

By Mr. Benners:

H. 324. To provide a fund for support of a law library for the circuit court in counties of two hundred thousand or more, inhabitants, without appropriations from the State or county treasury.

By Mr. Ross:

H. 1066. To alter, extend or re-arrange the boundary lines of the corporate limits of the town of Brighton, Alabama.

By Mr. Hawkins:

H. 1049. To provide for the construction of a fire-proof building for the safekeeping of all county records in all counties of the State having more than 150,000 population according to the last or any succeeding Federal census and to provide for the keeping of records therein.

Mr. Butler, chairman of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Truss:

H. 955. To provide for the relief of L. F. Jackson and to authorize the payment to him of the sum of one hundred dollars out of the fine and forfeiture fund of Jefferson county, same having been paid by him upon the forfeiture of a bond of Judge Morrow.

By Mr. Faulk:

H. 549. To provide for the relief of E. C. Childs, tax collector, Geneva county, Alabama, during the year 1910, in the matter

of refunding \$448.50, on account of an unused poll tax receipt book being charged to him in the final settlement for the year 1910 by the State auditor, and to make an appropriation for the refund of this \$448.50 to E. C. Childs.

By Mr. Stewart of Bibb:

H. 904. For the relief of J. S. Ward and R. H. Wood.

By Mr. Collins:

H. 1044. For the relief of W. J. Richardson, sheriff of Pickens county, Alabama, to pay him the sum of \$177.07 due him by the State of Alabama for extraordinary expenses incurred in the extradition of Charley Carpenter from Muskogee, Oklahoma, under authority from the governor of Alabama dated December 13, 1918.

By Mr. Salter:

H. 850. For the relief of J. N. Varner of Conecuh county, Alabama, appropriating to him one hundred forty dollars (\$140.00) out of any funds in the State treasury not otherwise appropriated on account of his name being wrongfully stricken from the pension roll as a Confederate veteran.

By Mr. Jones of Montgomery:

H. 410. For the relief of H. C. Davidson, trustee for Camp Lomax, United Confederate Veterans, and to require the county's proportion of the license money paid by said H. C. Davidson, as said trustee, in March 1917, to be refunded by the treasurer of Montgomery county, or the person or corporation acting as such treasurer, and requiring the auditor of the State of Alabama to draw his warrant, for the amount or proportion of said license money which the State received, in favor of said H. C. Davidson, trustee, the total being \$120.00.

By Mr. Sparks:

H. 938. To require the payment to State convicts, upon their lawful discharge from penal servitude, of additional cash allowances adequate to their needs.

By Mr. Stewart of Bibb:

H. 903. For the relief of Robert Thrasher.

By Mr. Faulk:

H. 642. To amend an act entitled an act "To provide for the hiring, management, control and inspection of county convicts, approved November 30th, 1907.

By Mr. Brindley:

H. 1038. To repeal an act entitled, "An act to authorize and empower the Decatur Land Company, a corporation, to list certain of its land to tax assessor of Morgan county in acreage," approved December 13th, 1900.

By Mr. Dunnaway:

H. 821. To validate payments heretofore made by county authorities for cattle tick eradication and all debts contracted and warrants issued heretofore for vats and other expenses of tick eradication.

By Mr. Jones of Montgomery:

H. 1057. To appropriate \$186.08 to be paid to Montgomery Fair, a corporation, in payment of debts due said corporation by the State of Alabama for supplies contracted prior to January 1st, 1915, by the following departments, for the following amounts:

Convict Department	\$ 7.20
Department of Agriculture.....	7.96
Department of Immigration.....	9.00
Court of Appeals.....	30.17
Maintenance Department	131.75

By Mr. Edwards:

H. 1122. To limit the number of days for which members of the court of county commissioners of any county, whose population by the last Federal census or any subsequent Federal census was over 30,800 and under 30,815, may be paid for services as members of said court, for mileage in going to and from said court, for their services rendered in the discharge of their duties in letting out, inspecting and accepting, building or repairing of any county bridges or county buildings or works, and mileage necessarily traveled by them in so doing, during any one year or part of a year; and to repeal all laws and parts of laws in conflict with the provisions of this act in so far as counties whose population by the last Federal census or any subsequent Federal census was over 30,800 and under 30,815 are concerned.

By Mr. Crump:

H. 307. For the relief of Watt T. Brown for amount paid to the State for lands it did not own at the time of the sale to said Watt T. Brown.

By Mr. Hare:

H. 879. To amend section 5978, Code of Alabama 1907.

By Mr. Deese:

H. 819. For the relief of A. P. White, Sr., ex-sheriff of Dale county, Alabama, for the paying the expense of a guard to the State of Florida for bringing back one Marvin Gissendannah, charged with assault with intent to murder in the circuit court of Dale county, Alabama, for which he was convicted and sent to the penitentiary for fifteen years.

By Mr. Parker:

H. 727. To make an appropriation for certain fencing required for the Confederate Soldiers' Home at or near Mountain Creek.

By Mr. Stoddard:

H. 368. To make an appropriation for the support and maintenance of the Alabama tuberculosis commission, created and incorporated under and by virtue of a certain act of the Legislature of Alabama, and approved September 22, 1915, entitled: An act to prevent the spread of tuberculosis by the creation of a tuberculosis commission, to provide for its organization and work and to authorize the erection and maintenance of local hospitals under its supervision.

By Mr. Van de Graff:

H. 524. For the relief of Honer McNicholas, John Muldowney, Mary Muldowney Walsh, Martin J. Muldowney, Andrew George Muldowney and Nora Muldowney O'Hara.

By Mr. Murphree:

H. 870. To provide for and prescribe fees to be paid on the consolidation or merger of corporations.

By Mr. Seale:

H. 491. To authorize and empower commissioners courts and boards of revenue or other like governing boards of each county in Alabama to make appropriations to pay premiums on live stock which may be exhibited in live stock shows in said county.

By Mr. Dunaway:

H. 912. To make an appropriation for tick eradication.

By Mr. Dunaway:

H. 911. To make an appropriation for the control and eradication of tuberculosis, hog cholera and all other infectious and contagious animal diseases and the materials or things that may spread or carry the cause of such diseases of live stock.

By Mr. Dansby:

H. 691. To amend section 1, 2 and 3 of an act to amend sections 3264 and 3265, and repeal section 6647 of the Code of 1907," said act being approved September 22nd, 1915.

By Mr. Dansby:

H. 855. To create the department of examiners of accounts, to prescribe its powers, duties and functions, provide for the appointment of a chief examiner and assistant examiners, to regulate the duties and compensation of such officials, and to provide clerical help for said department.

Mr. Bedsole, acting chairman of the Standing Committee on Corporations, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Cobbs:

H. 704. To amend section 3465 of the Code of Alabama.

By Mr. Dickson:

H. 441. To amend section 3453 of the Code of Alabama of 1907.

Mr. Kelly, chairman of the Standing Committee on Public Roads and highways, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Brindley:

H. 965. To amend an act to designate certain public roads of the State of Alabama as State trunk roads and to provide the manner in which such roads shall be located, improved and maintained, enacted by the Legislature of Alabama, approved September 10th, 1915.

By Mr. Hall:

H. 750. To designate a part of the Alabama State trunk highway, beginning on the Mississippi State line, where the Armory and Smithville road crossed the state line, thence across the State of Alabama, to the city of Attalla, intersecting the highway to Gadsden, Rome, Georgia, and Cedartown, Georgia, as a State trunk highway, and to provide that the said State trunk highway, created by the provisions of this act, shall receive such benefits as other State trunk highways heretofore established.

By Mr. Ingram:

H. 969. To amend an act entitled "An act, to provide for the establishment, discontinuance, construction, use, working and maintenance of the public roads, bridges and ferries of the several counties of this State; to define the duties and powers of the boards of revenue, courts of county commissioners, or other governing bodies of each of the several counties with regard to same; and to fix penalties for the violation of the rules, regulations, and laws of the boards of revenue, courts of county commissioners or other like governing bodies of the several counties, approved September 22, 1915."

By Mr. Alexander:

H. 231. To amend section 1 of an act entitled an act to designate certain public roads of the State of Alabama as State trunk roads, and to provide the manner in which such roads shall be located, improved and maintained, approved September 10, 1915.

By Mr. Murphree:

H. 783. To repeal an act to require the commissioners' court of Morgan county, to work all the county convicts of said county on the public roads of said county passed by the Legislature of Alabama at the session of 1911, and approved on March 11th, 1911.

By Mr. Longshore:

H. 1059. To designate the public road from Chancellors Ferry and running in a northerly direction to Creswell Church, and on by way of Vincent, Sterrett, Vandiver, Dunnovant, intersecting the main highway of Jefferson county near Leeds, Alabama, as a State trunk road.

Mr. Sims, chairman of the Standing Committee on Banking and Insurance, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Andrews:

H. 452. Authorizing a bank to pay the deposit of a deceased depositor to the widow, or husband, or heirs of the deceased, where the deposit does not exceed one thousand (\$1,000.00) dollars after the lapse of sixty (60) days from the death of the deceased.

By Mr. Graham:

H. 577. To further prescribe the qualifications and duties of directors of banks and trust companies doing a banking business in this State."

By Mr. Murphree:

H. 869. To amend section 3643 of the Code of Alabama 1907.

By Mr. Dansby (by request):

H. 946. To authorize banks and trust companies doing a banking business to consolidate or merge with other such institutions or to transfer their places of business to other towns or cities, within this State, upon the approval of the Superintendent of Banks, and to prescribe the procedure."

Mr. Acker, chairman of the Standing Committee on Judiciary, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Ross:

H. 1046. To amend section 1 of an act entitled, "An act to provide for the election of a solicitor for each judicial circuit in the State; to fix his compensation; authorize the appointment or election of deputy solicitors and assistant solicitors, prescribe their duties and authority, and fix their compensation, approved September 25, 1915.

Mr. Miller, chairman of the Standing Committee on Revision of Laws, reported that said committee, in session, had acted on

the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Longshore:

H. 1040. To authorize and direct the sheriffs of all counties having a population of not less than 26,940 nor more than 27,000, according to the last Federal census or any subsequent census, to employ a janitor or deputy to keep the jail and grounds of said jails in a cleanly and sanitary condition; and to authorize and direct the boards of revenue or commissioners courts of said counties to pay the monthly salaries of said janitors or deputies by warrants issued therefor by the said boards of revenue or like governing bodies.

By Mr. Cobbs:

H. 878. To amend section 211 of the Code of Alabama down through subdivisions 1 and 2 thereof.

By Mr. Sparks:

H. 344. To amend section 3617 of the Code of Alabama of 1907.

By Mr. Stewart:

H. 905. To provide that in all counties having a population of not less than 22,750 and not more than 23,000 according to the last preceding Federal census, or any subsequent census, the informer shall receive one-half of the fine in all cases of conviction for violation of the prohibition law and to provide for the payment of same in such counties.

By Mr. Graham:

H. 8. To regulate the sale of standing timber, fix time limit for cutting and removing same, providing a right-of-way for cutting and removing timber and providing for the reversion of the title after the time limit expires.

By Mr. Graham:

H. 803. To regulate and provide for the payment of claims against the fine and forfeiture fund of Autauga county, Alabama.

By Hr. Lynne:

H. 562. To repeal sections 3279, 3280 and 3281 of the Code of Alabama, an act to amend section 3281 of the Code of Alabama, approved April 22, 1911, and an act to amend section 3279 of the Code of Alabama, approved September 8, 1915.

Mr. Espy, chairman of the Standing Committee on Agriculture, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Peters:

H. 228. To authorize courts of county commissioners or boards of revenue of any county in which the State or Federal authorities shall take or have taken up the work of farm demonstration or the organization of farm life clubs, to appropriate funds for aiding in such work.

Mr. Phillips, chairman of the Standing Committee on Privileges and Elections, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate without recommendation, and it was read a second time and placed on the calendar, to-wit:

By Mr. Cobbs:

H. 615. To amend certain sections of the primary election law, being "An act to regulate primary elections in the State of Alabama," appearing in the printed Acts of 1915 at pages 218 to 239 inclusive, by amending, to-wit: Sections 8, 9, 11, 12, 19, 20, 23, 32, 33, 36, 38, 39, 40, 41, 42, 43, 45, 49, 52 and 58 of said act.

MESSAGE FROM THE GOVERNOR.

September 23, 1919.

Gentlemen of the Senate:

I return herewith, without my approval, Senate bill No. 442, creating the office of State fire marshal, and providing for the appointment of deputy fire marshals and assistants, and suggest the following amendments which will overcome my objections:

Amend Senate bill No. 442 by striking out the words "for cause" in section 1, and substitute therefor the words "with or without cause," so that the clause, as amended, shall read as follows: "and he may be removed from office by the governor with or without cause."

Amend section 3 by adding next after the words "four deputy marshals" where they occur in the first paragraph of said section, the words "by and with the approval of the governor and" and by adding at the end of such section the following proviso, namely:

"Provided that such deputy fire marshals and assistants authorized to be appointed in this act shall be subject to removal by the governor with or without cause."

Respectfully,
Thos. E. Kilby,
Governor.

GOVERNOR'S MESSAGE.

On motion of Mr. Briscoe, the Senate concurred in and adopted the amendment proposed by his excellency, the governor, to:

S. 442. To create the office of State fire marshal, and to provide for the appointment of deputy marshals and assistants; to define their powers and duties and to fix their compensation; to provide ways and means for the enforcement of this act and pen-

alties for violation thereof; and to provide means for defraying the expenses incurred under the provisions hereof.

Said amendment being set out in the foregoing message from the governor:

Yeas, 20; nays, 2.

Yeas:

Messrs:

Acker	Carlton	Kelly	Rogers (Lauderdale)
Beale	Carmichael	Miller	Sims
Bedsole	Cowan	Morris	Smith (Coosa)
Briscoe	Gunter	Nance	Tally
Caffey	Harper	Phillips	West

--20

Nays:

Messrs:

Evins Huddleston

—2

Which was a majority of the whole number elected to the Senate.

MESSAGE FROM THE GOVERNOR.

September 19, 1919.

Gentlemen of the Senate:

I herewith return Senate bill No. 368 without my approval, and suggest the following amendment which if adopted will meet my objection to the bill, namely: amend section 17 by adding at the end thereof the following proviso, namely:

"Provided that if the general revenue act, or any general act, enacted or to be enacted by this Legislature shall include provisions fixing and regulating license or privilege taxes on vehicles of any kind however propelled or driven, for the use of the State and the counties of the State, and providing that the proceeds of such privileges or license taxes shall be apportioned between the State and the counties of the State, such provisions and such apportionment of such license or privilege taxes under any such general law shall take precedence of and shall be in lieu of the privilege or license taxes authorized to be levied and collected under this act to the extent covered by such general act, and provided further that all provisions of this act fixing or levying any such privilege or license taxes in conflict or inconsistent with the provisions of any such general law shall be void and of no operation and effect."

Respectfully,
Thos. E. Kilby,
Governor.

GOVERNOR'S MESSAGE.

On motion of Mr. Brown, the Senate concurred in and adopted the amendment proposed by his excellency, the governor, to:

S. 368. To provide for the establishment, maintenance, repair and regulations of public highways; including bridges and ferries, in St. Clair county.

Said amendment being set out in the foregoing message from the governor.

Yeas, 18; nays, 1.

Yeas:

Messrs:

Acker	Brown	Gunter	Sims
Baker	Caffey	Moore	Smith (Coosa)
Beale	Carmichael	Phillips	Tally
Bedsole	Cowan	Rogers (Lauderdale)	West
Briscoe	Craft		

—18

Nays:

Mr. Huddleston—1.

Which was a majority of the whole number elected to the Senate.

BILLS ON THIRD READING.

The bill:

H. 748. To amend section two of an act entitled "An act to authorize the holding of elections by municipal corporations in the State of Alabama, for the purpose of obtaining authority to issue bonds, for public purposes herein defined, and to provide for holding such elections, and declaring the result thereof, and to authorize the issue of such bonds when a majority of the voters participating in such elections vote in favor of the issue of such bonds, and regulate the issue, execution, sale and security of such bonds," approved August 26, 1909, as amended by an act approved February 20, 1915.

Was read a third time at length and passed.

Yeas, 26; nays, 0.

Yeas:

Messrs:

Acker	Carmichael	Huddleston	Rogers (Lauderdale)
Beale	Cowan	Miller	Sims
Bedsole	Craft	Morris	Smith (Coosa)
Briscoe	Espy	McDowell	Smith (Lawrence)
Butler	Evins	Nance	Tally
Caffey	Gunter	Phillips	West
Carlton	Harper		

—26

Nays:—None.

The bill:

H. 1067. To establish a board of revenue for Madison county, and to abolish the court of county commissioners thereof, and to provide for the better working of the public roads of said county.

Was read a third time at length and passed.

Yeas, 23; nays, 0.

Yeas:

Messrs:

Acker	Caffey	Harper	Rogers (Sumter)
Baker	Carlton	Huddleston	Sims
Beale	Carmichael	McDowell	Smith (Lawrence)
Bedsole	Craft	Phillips	Tally
Brown	Espy	Prestwood	West
Butler	Gunter	Rogers (Lauderdale)	

—23

Nays:—None.

The bill:

H. 613. To regulate the traffic in seed cotton in the several counties of Alabama and to provide for penalties for violating the same.

Was taken up.

The Standing Committee on Agriculture offered the following amendment to said bill, to-wit:

Amend H. 613 by adding the following words to section 6, to-wit:

“But the provisions of this bill shall not apply to ginnerers who purchase seed cotton from their customers delivered to their gins.”

Which was adopted.

Yeas, 22; nays, 0.

Yeas:

Messrs:

Acker	Cowan	Morris	Sims
Baker	Evins	McDowell	Smith (Coosa)
Beale	Harper	Phillips	Smith (Lawrence)
Brown	Huddleston	Rogers (Lauderdale)	Tally
Caffey	Miller	Rogers (Sumter)	West
Carmichael	Moore		

—22

Nays:—None.

And the bill, as thus amended, was read a third time at length and passed.

Yeas, 20; nays, 0.

Yeas:

Messrs:

Acker	Carlton	Kelly	Rogers (Sumter)
Beale	Carmichael	Moore	Sims
Bedsole	Espy	Morris	Smith (Coosa)
Brown	Gunter	Phillips	Tally
Caffey	Harper	Rogers (Lauderdale)	West

—20

Nays:—None.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has concurred in and adopted the amendment proposed by the governor to the bill:

By Mr. Stoddard:

H. 777. To provide for the more efficient construction and maintenance of the public roads and bridges of Crenshaw county, Alabama; to provide for raising revenue for the same; to levy a vehicle license tax on automobiles, motor trucks and all motor vehicles owned and operated by citizens of Crenshaw county, Alabama; to prescribe the duties of the tax assessor, and tax collector of said county under this act; to provide penalties and punishment for the violation of this act and to repeal conflicting laws.

by a majority of the whole number elected to the House: Yeas, 72; nays, 0.

Said governors' amendment being as follows:

September 23, 1919.

Gentlemen of the House of Representatives:

I herewith return House bill No. 777 without my approval, and suggest the following amendment which if adopted will meet my objection to the bill, namely: amend section 8 by adding at the end thereof the following proviso, namely:

"Provided that if the general revenue act, or any general act, enacted or to be enacted by this Legislature shall include provisions fixing and regulating the general license or privilege taxes on vehicles of any kind however propelled or driven for the use of the State and the counties of the State, and providing that the proceeds of such privilege or license taxes shall be apportioned between the State and the counties of the State, such provisions and such apportionment of such license or privilege taxes under any such general law shall take precedence of and shall be in lieu of the privilege or license taxes authorized to be levied and collected under this act to the extent covered by such general act, and provided further that all provisions of this act fixing or levying any such privilege or license taxes in conflict or inconsistent with the provisions of any such general law shall be void and of no operation and effect."

Respectfully,
(Signed) Thos. E. Kilby,
Governor.

And sends said bill together with the governor's amendment to the Senate.

Fred H. Gormley,
Clerk.

HOUSE AND GOVERNOR'S MESSAGE.

On motion of Mr. Baker, the Senate concurred in and adopted the amendment proposed by his excellency, the governor, to House

bill No. 777, the title of which is set out in the foregoing message from the House and said amendment being set out in the foregoing message from the governor.

Yeas, 26; nays, 0.

Yeas:

Messrs:

Baker	Cowan	Miller	Rogers (Sumter)
Beale	Craft	Morris	Sims
Briscoe	Espy	McDowell	Smith (Coosa)
Butler	Gunter	Nance	Smith (Lawrence)
Caffey	Harper.	Phillips	Tally
Carlton	Huddleston	Rogers (Lauderdale)	West
Carmichael	Kelly		

—26

Nays:—None.

Which was a majority of the whole number elected to the Senate.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has concurred in and adopted the amendment proposed by the governor to the bill:

By Mr. Hare:

H. 880. To provide for the construction, maintenance and control of the public roads and bridges of all counties in the State of Alabama having a population of not less than 27,155 and not more than 27,200 by the last or any subsequent Federal census, to further define the duties of the courts of county commissioners, or like governing bodies, of all such counties; to provide for the levy and collection of a vehicle license tax; to provide for the levy and collection of a per capita road tax in commutation of road duty; and to regulate the performance of road duty in such counties by the citizens thereof.

by a majority of the whole number elected to the House: Yeas, 72; nays, 0.

Said governor's amendment being as follows:

September 19, 1919.

Gentlemen of the House of Representatives:

I herewith return House bill No. 880 without my approval, and suggest the following amendment which if adopted will meet by objection to the bill, namely: amend section 24 by adding at the end thereof the following proviso, namely:

"Provided that if the general revenue act, or any general act, enacted or to be enacted by this Legislature shall include provisions fixing and regulating the general license or privilege taxes on vehicles of any kind however propelled or driven for the use of the State and the counties of the State, and providing that the proceeds of such privilege or license taxes shall be apportioned between the State and the counties of the State, such

provisions and such apportionment of such license or privilege taxes under any such general law shall take precedence of and shall be in lieu of the privilege or license taxes authorized to be levied and collected under this act to the extent covered by such general act, and provided further that all provisions of this act fixing or levying any such privilege or license taxes in conflict or inconsistent with the provisions of any such general law shall be void and of no operation and effect."

Respectfully,
Thos. E. Kilby,
Governor.

And sends said bill, together with the governor's amendment, to the Senate.

Fred H. Gormley,
Clerk.

HOUSE AND GOVERNOR'S MESSAGE.

On motion of Mr. Kelly, the Senate concurred in and adopted the amendment proposed by his excellency, the governor, to House bill No. 880, the title of which is set out in the foregoing message from the House, and said governor's amendment being set out in the foregoing message from the governor.

Yeas, 27; nays, 0.

Yeas:

Messrs:

Acker	Carmichael	Huddleston	Rogers (Lauderdale)
Baker	Cowan	Kelly	Rogers (Sumter)
Beale	Craft	Miller	Smith (Coosa)
Bedsole	Espy	Moore	Smith (Lawrence)
Briscoe	Evins	Morris	Tally
Butler	Gunter	Nance	West
Caffey	Harper	Prestwood	

—27

Nays:—None.

Being a majority of the whole number elected to the Senate.

REPORT FROM RULES COMMITTEE.

Mr. Acker, chairman of the Standing Committee on Rules, reported that said committee, in session, had acted on the following resolutions and ordered same returned to the Senate with a favorable report, to-wit:

S. J. R. 153. Resolved by the Senate, the House concurring, That when the two houses adjourn today it be till Thursday, September 25, 1919, that when adjournment is had on Thursday it be till Saturday, September 27, and that the Legislature adjourn sine die on Saturday, September 27, 1919.

And on motion of Mr. Acker said resolution was, under a suspension of the rules, adopted by the Senate.

Also:

S. R. 154. Be it resolved by the Senate, That from and after the adoption of this resolution that no senator speak more than twice on the same subject and not more than five minutes each time.

And said resolution was read a second time and placed on the calendar.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has originated and passed the following bills and ordered same sent to the Senate without engrossment:

H. 842. To encourage the manufacture of air nitrates in the State of Alabama, by exempting from taxation the plants, products and other property of any person, firm or corporation acquiring either by lease or purchase, any factory or plant already built in this State for the production and manufacture of atmospheric nitrogen.

Also:

H. 757. To amend section 3503 of the Code of Alabama of 1907.

Also:

H. 492. To make an appropriation out of the State treasury to pay premiums on Alabama raised steers and to provide how and by what means said amount shall be paid.

Also:

H. 335. To amend section 813 of the Code of Alabama, as amended by section 3 of an act to amend sections 811, 812, 813, 814, 815, 818 and 819 of the Code of Alabama, approved September 28, 1915.

H. 737. To further regulate receipts and disbursements in this State.

Fred H. Gormley,
Clerk.

HOUSE MESSAGE.

The House bills in the foregoing House message were severally read once and referred to appropriate standing committees, as follows:

H. 737, H. 842, H. 492, H. 335. To the Committee on Finance and Taxation.

H. 757. To the Committee on Judiciary.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has originated and passed the following bill:

H. 281. For the protection of human beings and of live stock of all kinds. To impose a license on dogs over the age of three months and to provide further that dogs running at large, except fox hounds and deer hounds wearing collars upon which the owners' names and addresses are printed or written, shall wear muzzles to require the registration of all dogs by the probate judge and their respective counties; to provide for the necessary supplies to carry this act into effect, and to provide for compensating the probate judge for his services as required herein; to provide that the funds derived from the license on dogs herein imposed by this act shall be paid to the county treasurer and kept separate and apart, and shall be known as the dog tax fund, which funds shall be used in defraying the traveling expenses to and from the State Pasteur Institute of persons who have been bitten by mad dogs and who are unable to defray their own expenses; also their expenses while under treatment at this institute, likewise the funds created by this act shall be used in remunerating persons who sustain loss from dogs crippling or killing their live stock and poultry, and to provide that at the end of each fiscal year, the balance remaining in the dog tax fund shall be paid by the county treasurer to the county board of education for distribution among the public schools of the county, in which the license is collected and apportioned to the different school districts in proportion to the amount of licenses collected in such district.

And sends same herewith to the Senate without engrossment.

Fred H. Gormley,
Clerk.

HOUSE MESSAGE.

The House bill in the foregoing House message was read once and referred to appropriate standing committee, as follows:

H. 281. To the Committee on Finance and Taxation.

BILLS ON THIRD READING RESUMED.

The bill:

H. 634. To prevent frauds and impositions upon the people of the State and to protect investors.

Was taken up.

Mr. Carmichael offered the following amendment to said bill:

Amend said bill by striking therefrom Section 21 and adding in lieu thereof the following:

Section 21. This act shall take effect sixty days after approval of the governor.

Which was adopted.

Yeas, 22; nays, 0.

Yeas:

Messrs:

Acker	Cowan	Miller	Sims
Beale	Craft	Moore	Smith (Coosa)
Briscoe	Espy	McDowell	Smith (Lawrence)
Caffey	Harper	Rogers (Lauderdale)	Tally
Carlton	Huddleston	Rogers (Sumter)	West
Carmichael	Kelly		

—22

Nays:—None.

Mr. Evins offered the following substitute for said bill:
Substitute for H. 634:

A BILL

To be entitled an act to regulate the sale of stocks, bonds, debentures and other securities; to provide for the filing of information concerning same; to punish violations of the act.

Be it enacted by the Legislature of Alabama:

Section 1. That from and after January 1, 1920, no dealer in stocks, bonds, debentures, certificates of participation, or other securities, shall in this State sell, offer for sale, invite offers for or inquiries about, such securities, by personal solicitation, letters or circulars (except to other dealers or banks) or by advertising in any newspaper, magazine or other periodical published in this State, until such dealer had filed with the secretary of State:

(a) A statement under oath showing the name and principal place of business of such dealer, and the names, residences and business addresses of all persons interested in such securities as principals, officers, directors or trustees, including the name, residence and business address of an agent residing in this State, if any.

(b) If such dealer is non-resident, a designation or power of attorney filed with the secretary of State, duly signed and sealed appointing and authorizing some person who shall be a resident of this State, to acknowledge or receive service of process, and upon whom process may be served for and in behalf of such dealer, in all proceedings that may be instituted against such dealer, in any court of this State or in any court of the United States, in this State and consenting that service of process upon any agent or attorney appointed under the provisions of this section shall be taken and held to be as valid as if served upon the dealer; and such instrument shall further provide that

the authority of such attorney shall continue until revocation of his appointment is made by such dealer by filing a similar instrument with the secretary of State, whereby another person shall be appointed as such attorney; provided, however, that the provisions of this section shall not be construed to alter or amend the laws now in force in this State, relative to bringing suits and serving process on foreign corporations doing business in this State. If any attorney so appointed shall absent himself from this State or his usual place of business or abode, or shall secrete himself, so that process may not be served upon him or shall have become disqualified from any cause whatever, or shall die, the secretary of State shall immediately appoint an attorney for service for such dealer, of which appointment notice in writing shall be immediately given by said secretary of State to such appointee, and shall also be sent to said dealer by mail, which appointment shall be as valid as if made by said dealer, and shall continue in force until such absent agent or attorney shall return and give to said secretary of State written notice thereof, or until the dealer shall have made another appointment in the manner above subscribed. Service of process as aforesaid, issued by any such court, as aforesaid, upon any such attorney appointed by the dealer or by the secretary of State, shall be valid and binding and shall be deemed personal service upon such dealer, so long as he or it shall have any obligations or liabilities outstanding in this State, although such dealer may have withdrawn, been excluded from or ceased to do business in this State. If any dealer shall fail, neglect or refuse to appoint and maintain within this State such attorney or agent, it shall forfeit the right to do or continue business in this State.

Section 2. In this act, the term "dealer" shall mean any partnership, association or corporation engaging in this State in the occupation of selling stocks, bonds, debentures, certificates of participation or other securities, whether as principal or as broker or as agent.

A corporation or association, offering its own securities generally for sale by circular, advertising or through brokers or agents, to others than its own shareholders or members, or to others than the dealers or banks or by such means inviting offers for or inquiries about its securities, shall be considered a dealer under the terms of this act.

Sec. 3. By an order directed to any such dealer, the secretary of State may require such dealer, whenever it shall offer any securities in his State, except to other dealers or banks, to file with him a statement showing the security or securities so offered, and the Secretary of State may by such order require such

dealer to mail to him as soon as any copies are so mailed, or shown, to any prospective purchaser in this State, a copy of all printed or otherwise reduplicated circulars of any security or securities the dealer shall offer for sale in this State, including a copy of all advertisements thereof, inserted in any newspaper, magazine or other periodical published or exhibited in this State. The Secretary of State may limit such an order to securities of any particular class or character on which he may deem such information necessary.

Sec. 4. The secretary of State may at any time order a dealer to file with him evidence, including an official statement of assets and earnings, copy of dealer's contract showing his compensation, or other information in relation to any security the dealer is offering for sale or inviting offers for, except to other dealers or banks, or is advertising in newspapers, magazines or other periodicals published or exhibited in this State, sufficient to show that the offering or invitation has been and is being made honestly and in good faith, and with disclosure of pertinent facts sufficient to enable intending purchasers to form a reasonable and accurate judgment of the value of the security. For every such report so filed, the secretary of State shall be paid a fee of five (\$5.00) dollars by the dealer at the time of the filing of same. Unless such evidence is filed and is sufficient, as stated, the secretary of State may order a dealer not to offer the security for sale or otherwise advertise it in publication or circularize it in this State.

Sec. 5. On ordering a dealer not to sell, offer for sale, circularize or advertise in such publications in this State any security, the secretary of State must send notice to the dealer by registered mail, addresses to the dealer's principal place of business, stated as requires under section 1 of this act, or to such address as the dealer may designate for that purpose, stating the reasons therefor. Upon receipt of such order from the secretary of State, the dealer may apply to the circuit court of Montgomery county for an order addressed to the secretary of State to show cause why said order shall not be revoked and upon such application the decision or determination of the secretary of State as to any matters or things involved in such order may be reviewed by such judge, and he may suspend the order issued by the secretary of State pending the determination of the application, and may make such other provisions as justice may require for the summary hearing and determination thereof.

Sec. 6. A fee of \$25.00 shall be paid to the secretary of State with the filing of the initial statement required by section 1 of this act, and a receipt shall be furnished showing that such dealer

has filed the statement required by this act; and a fee of \$10.00 shall be paid for each duplicate receipt furnished said dealer by the secretary of State.

Sec. 7. Any dealer or agent of a dealer wilfully violating the provisions of this act, upon conviction thereof, shall be charged guilty of a misdemeanor and be punished by a fine of not less than \$100.00 nor more than \$500.00, and by imprisonment in the county jail for not less than one, nor more than six months; one or both at the discretion of the court.

Sec. 8. Every sale or contract of sale in violation of section 1 ~~or of any order issued under section 3 this act, shall be void and~~ may be rescinded by the purchaser within one year, but not thereafter.

Sec. 9. The provisions of this act shall not apply to the following classes of securities; bonds or other evidences of indebtedness of the United States, or any foreign government, of any State or territory of the United States or of any foreign government, of any county, city, township, village, district or other political or taxing subdivision of any state or territory of the United States or of any foreign government; commercial paper or evidences of indebtedness running not more than twelve months from date thereof; bonds, stocks or other securities of any insurance company or quasi-public corporation, the issue of whose securities is regulated by a public service by a public service commission or board of any state or territory of the United States or any foreign government, or insurance commissioner, or which are approved as legal investment for savings banks under the laws of any state of the United States; first mortgages or other liens secured by first lien on real estate located within this State.

Sec. 10. If a dealer shall sell, offer for sale, invite offers for or inquiries about any securities mentioned in section 9 with intent to defraud, he shall be deemed guilty of violating this act and subject to all the penalties hereof.

Sec. 11. This act is not intended and shall not operate to repeal any existing statutes for the regulation of any corporations, associations, individuals or dealers engaged wholly or partly in the issuance, sale or otherwise dealing in stocks, bonds, debentures, certificates of participation or other securities, but all existing remedies, regulations and restrictions relating thereto are expressly reserved by the terms of this act, and this act shall be cumulative thereof.

Sec. 12. Be it further enacted, That with the exception stated in section 11, all laws in conflict with this act be and are hereby repealed.

Mr. Carmichael moved to lay the substitute offered by Mr. Evins on the table, which motion prevailed and said substitute was laid on the table.

Yeas, 18; nays, 9.

Yeas:

Messrs:

Acker	Carmichael	Morris	Sims
Beale	Cowan	Nance	Smith (Coosa)
Briscoe	Espy	Phillips	Smith (Lawrence)
Butler	Huddleston	Prestwood	West
Caffey	Kelly		

—18

Nays:

Messrs:

Bedsole	Evins	Miller	Rogers (Lauderdale)
Carlton	Gunter	McDowell	Tally
Craft			

—9

Mr. Evins also offered the following amendment to said bill:

Amend section 9 of House bill 634 by Mr. Shaw, so as to read as follows:

"The provisions of this act shall not apply to (a) securities of the United States, or any foreign government, or of any state or territory; or of any county, city, township, district or other public taxing subdivision of any state or territory of the United States or any foreign government; (b) public or quasi-public corporations; (c) State or national banks or trust companies, mortgage companies dealing exclusively in bona fide mortgages on farm and city real estate or building and loan associations authorized by the State securities commission to do business in this State; (d) securities of any domestic corporation organized without capital stock and not for gain, or profit and not for business or commercial purposes or organized for purely religious, educational, charitable or reformatory purposes or the like.

Which was adopted.

Yeas, 24; nays, 0.

Yeas:

Messrs:

Acker	Caffey	Harper	Rogers (Lauderdale)
Baker	Carmichael	Miller	Rogers (Sumter)
Beale	Cowan	Moore	Sims
Bedsole	Craft	Morris	Smith (Lawrence)
Briscoe	Espy	McDowell	Tally
Butler	Evins	Nance	West

—24

Nays:—None.

And said bill, as thus amended, was read a third time at length and passed.

Yeas, 20; nays, 5.

Yeas:

Messrs:

Acker	Carmichael	Moore	Sims
Beale	Craft	Morris	Smith (Coosa)
Briscoe	Espy	Nance	Smith (Lawrence)
Butler	Gunter	Prestwood	Tally
Caffey	Harper	Rogers (Sumter)	West

—20

Nays:

Messrs:

Baker	Evins	Miller	Rogers (Lauderdale)
Carlton			

—5

The bill:

H. 561. To authorize the attorney general to direct the solicitor of certain circuits to perform the duties of solicitor of the nineteenth judicial circuit.

Was read a third time at length and passed.

Yeas, 24; nays, 0.

Yeas:

Messrs:

Acker	Caffey	Evins	Prestwood
Baker	Carlton	Gunter	Rogers (Lauderdale)
Beale	Carmichael	Huddleston	Sims
Bedsole	Cowan	Miller	Smith (Coosa)
Briscoe	Craft	Morris	Smith (Lawrence)
Butler	Espy	Nance	West

—24

Nays:—None.

The bill:

H. 806. To authorize the court of county commissioners, the board of revenue and road commissioners, or like body, in each county in this State to provide telephones and postage for the offices of clerks and registers of the circuit court, the office of the sheriff, and the office of the jailer and judge of probate, in their respective counties."

Was read a third time at length and passed.

Yeas, 22; nays, 1.

Yeas:

Messrs:

Acker	Espy	Moore	Rogers (Sumter)
Baker	Evins	Morris	Smith (Coosa)
Bedsole	Gunter	Nance	Smith (Lawrence)
Carlton	Harper	Prestwood	Tally
Cowan	Huddleston	Rogers (Lauderdale)	West
Craft	Miller		

—22

Nays:

Mr. Beale—1.

The bill:

H. 204. To authorize counties, through their county commissioners, boards of revenue or other governing bodies, to adopt a budget system and to make appropriations to meet expenses thereunder; to issue certificates when requested to holders of claims which have been passed and allowed prior to the approval of this bill bearing interest, and providing for the payment of said claims.

Was read a third time at length and passed.

Yeas, 23; nays, 0.

Yeas:

Messrs:

Acker	Carlton	Gunter	Rogers (Sumter)
Baker	Carmichael	Harper	Smith (Coosa)
Beale	Cowan	Huddleston	Smith (Lawrence)
Bedsole	Craft	Miller	Tally
Butler	Espy	Moore	West
Caffey	Evins	Morris	

—23

Nays:—None.

The bill:

H. 974. To further provide for the prevention and suppression of diseases and parasites, among cattle, horses, mules, asses and hogs, such as hog cholera, glanders, cattle fever tick, foot and mouth disease, and other infectious and communicable diseases and parasites by requiring all railroad cars in which animals are transported in Alabama from points within the quarantined area as defined by the United States department of agriculture or by the State live stock sanitary board, to be cleaned and disinfected.

Was taken up.

Mr. Miller offered the following amendment to said bill:

Amend H. 974 by adding at the end of section one the following:

“Provided the cost of such disinfecting shall be at the expense of the carrier.”

Which was adopted.

Yeas, 21; nays, 3.

Yeas:

Messrs:

Acker	Craft	Miller	Sims
Baker	Espy	Moore	Smith (Coosa)
Beale	Gunter	Morris	Smith (Lawrence)
Bedsole	Harper	Nance	Tally
Carlton	Kelly	Rogers (Sumter)	West
Cowan			

—21

*Nays:***Messrs:**

Butler

Evins

Huddleston

—3

And the bill, as thus amended, was read a third time at length and passed.

Yeas, 18; nays, 3.

*Yeas:***Messrs:**

Acker

Cowan

Harper

Nance

Baker

Craft

Miller

Rogers (Sumter)

Beale

Espy

Moore

Smith (Lawrence)

Bedsole

Evins

Morris

West

Carlton

Gunter

—18

*Nays:***Messrs:**

Butler

Huddleston

Tally

—3

MESSAGE FROM THE HOUSE.

Mr. President:

The House has non-concurred in the Senate amendment to the bill:

H. 401. To create a State highway department; to define its powers and duties; to authorize State aid in the construction and maintenance of public roads and bridges; to create a State highway fund and to provide for its expenditure; to impose certain duties upon county and municipal officials and to provide a penalty for their failure to discharge same; to authorize the State highway department to work State convicts upon public roads and bridges as is now or may hereafter be provided by law; to assent to the act of Congress approved July 11, 1916, known as the "Federal aid law" and to authorize the State highway department to co-operate with the United States government in the construction and maintenance of rural post roads; and to repeal the act approved April 5, 1911, entitled "An act to provide for the creation of a State highway commission, defining its powers, duties and compensations, and methods to be adopted for control of same and for appropriation and maintenance of the same and to give State aid and State supervision over all public roads, culverts and bridges of the State for construction of a permanent nature and the maintenance thereof wherein any portion of the appropriation hereinafter made shall be used for such purpose; and to make an appropriation therefor out of the net revenue of the convict fund of the State and from other sources.

And asks for a Committee of Conference and the Speaker has named as a Committee of Conference on part of the House, Messrs. Arnold, Tunstall, Tompkins, Dansby and Orr.

Fred H. Gormley,
Clerk.

HOUSE MESSAGE.

On motion of Mr. Rogers of Sumter the Senate accedes to the request of the House for a Committee of Conference on the disagreement of the two houses on the Senate amendments to House bill No. 401, the title of which is set out in the foregoing message from the House, and the President of the Senate appointed as conferees on the part of the Senate Messrs. Rogers of Sumter, Evins and Tally.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has passed the following Senate bill:

S. 105. To appropriate the further sum of seventy-five hundred (\$7,500.00) dollars, or so much thereof as may be necessary to pay for the transportation of troops of the Alabama National Guard that were heretofore and prior to September 29th, 1915, transported by railroad common carriers on the request or order of the governor or the adjutant general of Alabama, reimbursement for which, on account of the deficiency of the appropriation for that purpose as heretofore made by the act, approved September 29th, 1915, entitled, "An act to appropriate the sum of seven thousand four hundred and fifty-six and seven one-hundredths (\$7,456.07) dollars to pay for the transportation of troops of the Alabama National Guard heretofore transported by railroad common carriers on the request or order of the governor or adjutant general," has not been made in full to said carriers.

And returns same herewith to the Senate.

Fred H. Gormley,
Clerk.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has passed the following Senate bills:

S. 738. To make an appropriation to the public schools.

Also:

S. 414. To provide for the reading of the Holy Bible in the schools in Alabama that are supported in part or in whole by public funds and to provide for the enforcement of the same.

And returns same herewith to the Senate.

Fred H. Gormley,
Clerk.

BILLS ON THIRD READING RESUMED.

The bill:

H. 766. To regulate the manufacture, sale, offering for sale, and other disposition of insecticides and fungicides in the State of Alabama and to provide means and penalties therefor and to provide disposition of funds arising therefrom.

Was taken up.

Mr. Bedsole offered the following amendment to said bill:

Amend section 11 of H. 766 by striking out the word "not" where it first appears on page 7 of said bill.

Which was, on motion of Mr. Espy, laid on the table.

And said bill was then read a third time at length and passed.

Yeas, 21; nays, 5.

Yeas:

Messrs:

Acker	Carlton	Gunter	Morris
Beale	Carmichael	Harper	Nance
Bedsole	Cowan	Kelly	Sims
Briscoe	Craft	Miller	Smith (Lawrence)
Butler	Espy	Moore	West
Caffey			

—21

Nays:

Messrs:

Evins	Prestwood	Rogers (Lauderdale)	Smith (Coosa)
Huddleston			

—5

The bill:

H. 471. For the relief of Rev. J. E. Deer, of Escambia county, Alabama.

Was read a third time at length and passed.

Yeas, 23; nays, 0.

Yeas:

Messrs:

Acker	Carmichael	Huddleston	Rogers (Sumter)
Beale	Cowan	Kelly	Sims
Briscoe	Craft	Moore	Smith (Lawrence)
Butler	Evins	Morris	Tally
Caffey	Gunter	Nance	West
Carlton	Harper	Prestwood	

—23

Nays:—None.

The bill:

H. 884. To fix the compensation of circuit solicitors in all circuits of the State of Alabama which are now composed, or which may hereafter be composed of only one county and having two judges.

Was read a third time at length and passed.

Yeas, 24; nays, 0.

Yeas:

Messrs:

Acker	Cowan	Huddleston	Rogers (Lauderdale)
Beale	Craft	Miller	Sims
Briscoe	Espy	Moore	Smith (Coosa)
Butler	Evins	Morris	Smith (Lawrence)
Caffey	Gunter	Nance	Tally
Carmichael	Harper	Prestwood	West

—24

Nays:—None.

The bill:

H. 820. For the relief of R. H. Hudson, of Robinson Springs, Alabama, and to appropriate and pay to him the sum of \$110.65.

Was read a third time at length and passed.

Yeas, 25; nays, 0.

Yeas:

Messrs:

Acker	Cowan	Huddleston	Prestwood
Beale	Craft	Kelly	Rogers (Lauderdale)
Briscoe	Espy	Miller	Rogers (Sumter)
Butler	Evins	Moore	Smith (Lawrence)
Caffey	Gunter	Morris	Tally
Carlton	Harper	Nance	West
Carmichael			

—25

Nays:—None.

The bill:

H. 323. To provide for the establishment, discontinuance, construction, use, working and maintenance of the public roads and bridges of Lamar county, Alabama. To define the duties and powers of the court of county commissioners of Lamar county with regard to same, and to fix penalties for violation of the rules and regulations of the public road law of Lamar county and the State of Alabama.

Was read a third time at length and passed.

Yeas, 23; nays, 0.

Yeas:

Messrs:

Acker	Carlton	Gunter	Rogers (Lauderdale)
Beale	Carmichael	Harper	Rogers (Sumter)
Bedsole	Cowan	Huddleston	Smith (Lawrence)
Briscoe	Craft	Kelly	Tally
Butler	Espy	Moore	West
Caffey	Evins	Prestwood	

—23

Nays:—None.

The bill:

S. 775. To amend section 29 of "An act to prescribe the qualifications of jurors and regulate the selection, drawing and summoning of jurors, and prescribe the qualifications and provide for the appointment of jury commissioners and clerks of such commissions and regulate the empanelling of grand and petit juries in all the courts of this State."

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 22; nays, 0.

Yeas:

Messrs:

Acker	Carmichael	Kelly	Rogers (Sumter)
Beale	Cowan	Miller	Sims
Bedsole	Craft	Moore	Smith (Lawrence)
Briscoe	Gunter	Morris	Tally
Butler	Harper	McDowell	West
Caffey	Huddleston		

—22

Nays:

Mr. Prestwood—1.

The resolution:

H. J. R. 10. Relates to establishment of the Bankhead national highway.

Was read a third time at length and adopted.

The bill:

H. 1041. To vacate and annul the street or alley in the town of Livingston, Alabama, leading from the Wetmore Lane, near the residence of Marcellus Speight, by the residence formally owned by Mrs. Matilda Greene, and intersecting with the street leading from the Livingston and Gainesville road, to the Hopkins place, also the street of alley leading from the Livingston and Gainesville road in the direction of the colored Baptist church, and lying between the campus of the Alabama Normal College and the property formally owned by Miss Julia Tutwiler, and known as the "Twin Gables."

Was read a third time at length and passed.

Yeas, 24; nays, 0.

Yeas:

Messrs:

Acker	Butler	Espy	Miller
Baker	Caffey	Evins	McDowell
Beale	Carlton	Gunter	Rogers (Sumter)
Bedsole	Carmichael	Harper	Sims
Briscoe	Cowan	Huddleston	Smith (Lawrence)
Brown	Craft	Kelly	West

—24

Nays:—None.

The bill:

H. 899. To amend section one of an act entitled an act to establish a charter for the town of Gordo, Pickens county, approved December 7th, 1900.

Was read a third time at length and passed.

Yeas, 24; nays, 0.

Yeas:

Messrs:

Acker	Butler	Espy	Miller
Baker	Caffey	Evins	McDowell
Beale	Carlton	Gunter	Rogers (Sumter)
Bedsole	Carmichael	Harper	Sims
Briscoe	Cowan	Huddleston	Smith (Lawrence)
Brown	Craft	Kelly	West

—24

Nays:—None.

The bill:

H. 801. To amend section 1 of an act entitled an act to designate certain public roads in the State of Alabama as State trunk roads and provide the manner in which such roads shall be located, improved and maintained, approved September 10th, 1915.

Was read a third time at length and passed.

Yeas, 24; nays, 0.

Yeas:

Messrs:

Acker	Butler	Espy	Miller
Baker	Caffey	Evins	McDowell
Beale	Carlton	Gunter	Rogers (Sumter)
Bedsole	Carmichael	Harper	Sims
Briscoe	Cowan	Huddleston	Smith (Lawrence)
Brown	Craft	Kelly	West

—24

Nays:—None.

The bill:

H. 763. To authorize the payment of all fees of solicitors in misdemeanor cases in certain counties into the county treasury for the use of the county.

Was read a third time at length and passed.

Yeas, 25; nays, 0.

Yeas:

Messrs:

Acker	Caffey	Evins	Miller
Beale	Carlton	Gunter	Morris
Bedsole	Carmichael	Harper	McDowell
Briscoe	Cowan	Huddleston	Nance
Butler	Craft	Kelly	Rogers (Lauderdale)

Rogers (Sumter) Smith (Lawrence) Tally West
Sims

—25

Nays:—None.

The bill:

H. 33. To amend section 3310 of the Code of Alabama of 1907.

Was read a third time at length and passed.

Yeas, 24; nays, 0.

Yeas:

Messrs:

Acker	Caffey	Gunter	Phillips
Beale	Carmichael	Harper	Rogers (Lauderdale)
Bedsole	Cowan	Kelly	Rogers (Sumter)
Briscoe	Craft	Miller	Sims
Brown	Espy	Morris	Tally
Butler	Evins	McDowell	West

—24

Nays:—None.

The bill:

H. 450. To amend section 3610 of the Code.

Was read a third time at length and passed.

Yeas, 25; nays, 0.

Yeas:

Messrs:

Acker	Carlton	Harper	Nance
Baker	Carmichael	Huddleston	Rogers (Sumter)
Beale	Cowan	Kelly	Sims
Bedsole	Craft	Moore	Smith (Lawrence)
Briscoe	Evins	Morris	Tally
Brown	Gunter	McDowell	West
Caffey			

—25

Nays:—None.

The bill:

H. 98. To submit to the qualified voters of Alabama, at a special election to be held ninety days after the final adjournment of the Legislature of Alabama and upon the call of the governor, for their consideration an amendment to the Constitution of Alabama in substance and to the effect that certain persons who served in the military or naval service of the United States for a period of not less than four months between January 1, 1917, and November 11, 1918, shall be exempted from the payment of all poll taxes until September 30, 1919.

Was read a third time at length and passed.

Yeas, 29; nays, 0.

Yeas:

Messrs:

Acker	Carlton	Harper	Prestwood
Baker	Carmichael	Huddleston	Rogers (Lauderdale)
Beale	Cowan	Moore	Rogers (Sumter)
Bedsole	Craft	Morris	Sims
Briscoe	Espy	McDowell	Smith (Lawrence)
Brown	Evins	Nance	Tally
Butler	Gunter	Phillips	West
Caffey			

—29

Nays:—None.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has amended as therein shown and as amended has passed.

S. 247. To establish a child welfare department for the State of Alabama, to prescribe its duties, functions and powers, to provide for the appointment of an executive and other officers of such department, to define their duties, to provide for their compensation, and to provide for the maintenance and other expenses of such department.

And returns same herewith to the Senate.

Fred H. Gormley,
Clerk.

HOUSE MESSAGE.

On motion of Mr. Bedsole, the Senate concurred in the following amendment by the House to Senate bill No. 247, the title of which is set out in the foregoing message from the House, to-wit:

Amend the title by adding thereto the following:

“And confer on said department all the duties, power, and authority heretofore conferred on the State prison inspector so far as his duties, power and authority relate to children under 16 years of age.”

Yeas, 26; *nays*, 0.

Yeas:

Messrs:

Beale	Carmichael	Kelly	Rogers (Lauderdale)
Bedsole	Cowan	Moore	Rogers (Sumter)
Briscoe	Craft	Morris	Sims
Brown	Espy	McDowell	Smith (Coosa)
Butler	Gunter	Nance	Smith (Lawrence)
Caffey	Harper	Phillips	West
Carlton	Huddleston		

—26

Nays:—None.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has concurred in and adopted:

S. J. R. 153. Relative to the holding of sessions of the Legislature on Thursday, September 25, and that on Saturday, the 27th, the Legislature adjourn sine die.

And returns same to the Senate.

Fred H. Gormley,
Clerk.

RESOLUTIONS.

Mr. Carmichael offered the following Senate resolution:

S. R. 155. Resolved by the Senate, That the House be requested to return to the Senate, H. 974.

Which was read and referred to the Standing Committee on Rules.

Mr. Carmichael also offered the following joint resolution:

S. J. R. 156. Whereas, the Committees on Immigration and Industrial Resources, Public Buildings and Grounds, Privileges and Elections, Printing and Military were allowed one clerk to serve the five, and

Whereas, the chairmen of the committees had appointed a clerk to serve said committees, and

Whereas, said clerk was unable to serve the said committees on account of sickness from January 15th to and including February 1st, 1919, and the chairmen of said committees requested W. T. Edmondson, Jr., to serve in his stead, and

Whereas, the said W. T. Edmondson, Jr., did perform the services that would have been performed by the clerk appointed, and

Whereas, the said W. T. Edmondson, Jr., nor the clerk appointed did not receive any compensation for this service:

Now, therefore, be it resolved by the Senate, the House concurring, That the said W. T. Edmondson, Jr., be paid the same per diem that the clerk appointed would have received for said services had he been present and performed said service. To be paid on the certificate of the Secretary of the Senate as provided for payment of per diem to committee clerks.

Which was read and referred to the Committee on Rules.

Mr. Acker offered the following joint resolution:

S. J. R. 157. Resolved by the Senate, the House concurring, That the Secretary of the Senate, Assistant Secretary of the Senate, Chief Clerk to the Secretary of the Senate, together with four other clerks to be named by the Secretary; the Clerk of the House, Assistant Clerk of the House and Reading Clerk of the

House, together with five other clerks to be named by the Clerk of the House, be, and they are hereby allowed thirty days from and after the final adjournment of the present session of this Legislature, within which to check and compare the Journals and Registers of both houses.

Be it further resolved, That said Secretary of the Senate, Assistant Secretary of the Senate, Chief Clerk to the Secretary, the four clerks named by the Secretary; the Clerk of the House, Assistant Clerk of the House, Reading Clerk of the House and the five clerks named by the Clerk of the House, be and they are hereby, allowed the same per diem as they are now allowed by law for such work.

Which was read and referred to the Standing Committee on Rules.

NOTICE OF MOTION TO AMEND SENATE RULE NO. THREE.

Mr. Acker gave to the Senate the following notice in writing: "Notice is hereby given that on the next legislative day a motion will be made to modify or amend Senate rule No. three so that no senator shall speak more than twice on any question and not longer than five minutes each time."

W. P. Acker."

REPORT FROM COMMITTEE ON ENROLLED BILLS.

Mr. President:

Your Standing Committee on Enrolled Bills beg leave to report that said committee, in session, have compared the following enrolled bill, with the engrossed and original bill, respectively, and find same correctly enrolled, to-wit:

S. 412. To amend section 4 of "An act to fix the compensation of circuit judges, circuit solicitors and assistants solicitors in all circuits of the State of Alabama which circuits are composed of only one county and having two or more judges, or which circuits may hereafter have two or more judges, and to provide that a portion of such salaries be paid out of the county treasury of the counties constituting the respective circuits.

Chas. McDowell, Jr.,
Chairman.

SIGNING OF BILL.

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immedi-

ately after its title had been publicly read at length by the Secretary of the Senate, signed the following bill:

S. 412. To amend section 4 of "An act to fix the compensation of circuit judges, circuit solicitors and assistants solicitors in all circuits of the State of Alabama which circuits are composed of only one county and having two or more judges, or which circuits may hereafter have two or more judges, and to provide that a portion of such salaries be paid out of the county treasury of the counties constituting the respective circuits.

REPORT FROM COMMITTEE ON ENROLLED BILLS.

Mr. President:

Your Standing Committee on Enrolled Bills beg leave to report that said committee, in session, have compared the following enrolled bills, with the engrossed and original bills, respectively, and find same correctly enrolled, to-wit:

S. 400. To fix the salary of the several circuit judges in Alabama.

S. 279. To fix the compensation of members of the courts of county commissioners and boards of revenue in all counties having a population of not less than 30,900 and not more than 30,975 according to the last Federal census or any future Federal census and to provide for the payment of the same.

S. 497. To provide for the election of county road engineers in counties having a population of not less than eighty thousand nor more than eighty-two thousand, according to the Federal census of 1910, or any subsequent Federal census, and to fix their duties and compensation and to make the county solicitor or his assistant the legal advisor for the county board of revenue and the county road engineer.

Chas. McDowell, Jr.,
Chairamn.

SIGNING OF BILLS.

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the following bills:

S. 400. To fix the salary of the several circuit judges in Alabama.

S. 279. To fix the compensation of members of the courts of county commissioners and boards of revenue in all counties having a population of not less than 30,900 and not more than 30,975

according to the last Federal census or any future Federal census and to provide for the payment of the same.

S. 497. To provide for the election of county road engineers in counties having a population of not less than eighty thousand nor more than eighty-two thousand, according to the Federal census of 1910, or any subsequent Federal census, and to fix their duties and compensation and to make the county solicitor or his assistant the legal advisor for the county board of revenue and the county road engineer.

BILLS ON THIRD READING RESUMED.

The bill:

S. 767. To amend sections 1, 3, 4, 5, and 7 of an act entitled, "An act to regulate the sale of food and drugs in the State of Alabama and to provide for the enforcement and inspectors and prescribe penalties for violation thereof," approved August 26, 1909.

Was taken up.

Mr. Phillips offered the following substitute for said bill, to-wit:

A BILL

To be entitled an act to amend sections 1, 3, 4, 5 and 7 of an act entitled "An act to regulate the sale of food and drugs in the State of Alabama, to provide for enforcement and inspectors and prescribe penalties for violation thereof," approved August 26, 1909.

Be it enacted by the Legislature of Alabama:

Section 1. That sections 1, 3, 4, 5 and 7 of an act entitled, "An act to regulate the sale of food and drugs in the State of Alabama, to provide for enforcement and inspectors and prescribe penalties for violation thereof, approved August 26, 1909, be respectively amended to read in whole or in part as herein-after set out:

That section 1 be amended to read, "Section 1. That it shall be unlawful for any person firm or corporation, to manufacture or introduce into the State of Alabama or solicit or take orders for delivery, or to sell, exchange, deliver or have on his possession with intent to sell or exchange any article of food or drugs within this State, which is adulterated or misbranded within the meaning of this Act, or that does not conform to the standards of purity enumerated and fixed under the provisions of section 13 or the rules and regulations established under the provisions of section 15 of this act, and any person, firm or corporation who shall violate any of the provisions of this act, shall be guilty of a

misdeemeanor and for each offense shall upon the conviction thereof, be fined not to exceed \$100.00 and for each subsequent offense, and on conviction thereof, shall be fined not exceeding \$200.00; provided that none of the penalties set forth in this act shall be imposed upon any common carrier for introducing into the State or having in its possession, any adulterated or misbranded articles of food or drugs, where the same were received by said carrier for transportation in the ordinary course of its business and without actual knowledge of the adulteration or misbranding thereof. Provided that the having in possession by any person, firm or corporation who manufactures or exposes for sale, any adulterated or misbranded food within the meaning of this act, shall be prima facie evidence of having in possession with intent to sell in violation of its provisions, except that any manufacturer, wholesaler or jobber, may keep goods specially set apart in his stock for sale in other States, which might otherwise be in violation of the provisions of this act."

2. That the definition of food as used in section 3 be amended to read, "the term 'FOOD,' as used herein, shall include all articles used for or entering into the composition of food, drink, confectionery, or condiment, by man or domestic animals, whether simple, blended, mixed or compound."

3. That subdivision 5 of section 4, "In case of food" be amended to read "5th. If it contains any poisonous or deliterious ingredient, or any ingredient which may render such article injurious to health; provided, that when in preparation of food for shipment, they are preserved by an external application applied in such a manner that the preservative is necessarily removed mechanically, or by mascreation in water, or otherwise, and directions for the removal of such preservative shall be plainly and conspicuously printed on the label of the package, the provisions of this act shall be construed as applying only when such products are ready for consumption."

4. That the definition of the term "Misbranded," as used at the beginning of section 5 be amended to read "the term 'Misbranded,' as used herein, shall apply to all drugs, the package or label of which shall bear or contain any statement, design or device regarding the purity or therapeutic effect of such articles or any of the ingredients or substances contained therein, which shall be false or misleading in any particular, or to articles of food the package or label of which shall bear or contain any statement, design or device regarding such articles or any of the ingredients or substances contained therein, which shall be false or might prove deceptive as to the true character of the product or to any food and drug product which is falsely branded as to

the State, territory or county in which it is manufactured or produced;" and amend division 3 of section 5 "In case of foods," to read, "If in package form and the quantity of the contents be not plainly and conspicuously marked on the outside of the package in terms of weight, measure or numerical count, together with the name and address of the manufacturer or jobber or other person responsible for placing the product upon the market; provided, however, that reasonable variations as to the quantity of the contents of packages shall be permitted and tolerances and exemptions as to small packages shall be established by rules and regulations made in accordance with the provisions of section 15 of this act; provided further, that this provision shall not apply to any packages on the market at the time this act goes into effect."

5. That section 7 be amended to read, "Section 7. That if the commissioner of agriculture and industries or any duly authorized representative of the commissioner is of the opinion that any article of food or drug sold, offered or exposed for sale in this State is misbranded or adulterated; or that it violates the standards or regulations fixed or prescribed under the provisions of this act, the commissioner or his duly authorized representative shall make oath before any justice of the peace or circuit judge that a certain quantity of food or drug, (describing it) is located at a certain place (describing it) and that said food or drugs is below the standard required by law or that it violates the provisions of this act in the following particulars, (here set out in a general way wherein the food or drugs sought to be seized fail to comply with the law); it shall be the duty of such judge or justice of the peace, to issue a writ of seizure and attachment, for the seizure and attachment of the food or drugs described in the affidavit; such writ may be executed by any duly authorized representative of the commissioner of agriculture and industries, or by any sheriff or constable in the State; upon the seizure of the food and drug described in the affidavit, it shall be the duty of the officer or person executing the writ to return same to the circuit court, with his return thereon, and within five days after its return, the court shall make up an issue between the State as plaintiff and the property seized as defendant, with leave given to any person interested to file a claim thereto; notice of such seizure must be given by posting a notice thereof at the place of seizure and at the court house of the county in which the seizure was made, and any person interested shall have thirty days after the seizure in which to propound his claim to the food or drugs; provided, that after the return of the writ or of the seizure and during the thirty days'

period herein set out the court may release the food or drug so seized at the discretion of the commissioner or his duly authorized representative only, when the requirements of the provisions of this act have been complied with and upon payment by the claimant of all costs or expenses incurred in any proceedings connected with such seizure; if after thirty days from the date of seizure no claim is filed, or if a claim is filed thereto, the court trying the case as a court of equity and without a jury must determine, whether or not the food or drug seized violates the provisions of this act in the particulars set out in the affidavit, and if it is found that the food or drugs violates the provisions of this act in the particulars set out in the affidavit, the court shall enter a decree forfeiting the food or drugs seized to the State of Alabama, and providing for the delivery thereof to the commissioner of agriculture and industries; if the allegation of the affidavit be not sustained, the food or drugs shall be restored to the claimant entitled thereto. The affidavit herein provided for may be amended at any stage of the proceedings, and the sworn report of the State chemist of the analysis of the sample shall be admissible in evidence and shall be prima facie evidence of the contents of the report, and the quality of the bulk from which the sample was taken shall, prima facie, be presumed to be the same, the quality of the sample as shown by the analysis; it shall be the duty of the circuit and county solicitors to appear for the State in such cases, and any food or drugs forfeited to the State and turned over to the commissioner of agriculture and industries under the provisions of the act shall be by him disposed of to the best advantage, and a report of his action immediately made to the governor; provided, however, this shall not be construed to authorize the sale by such commissioner of any food or drugs contrary to the provisions of this act; and funds arising from the sale or disposition of any forfeited food or drug shall be paid into the State treasury, one-half of which shall be credited to the department executing the provisions of this act, and the other one-half shall go into the law enforcement fund heretofore created and provided for.

6. That this act shall take effect upon its approval by the governor.

Which was adopted.

Yeas, 25; nays, 0.

Yeas:

Messrs:

Acker

Bedsole

Brown

Caffey

Carmichael

Carlton

Cowan

Craft

Espy

Evins

Gunter

Harper

Huddleston

Miller

Morris

Moore

McDowell	Rogers (Sumter)	Smith (Coosa)	Tally
Nance	Sims	Smith (Lawrence)	West
Phillips			

—25

Nays:—None.

And said bill, as thus amended, was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 28; nays, 0.

Yeas:

Messrs:

Acker	Carmichael	Huddleston	Rogers (Lauderdale)
Beale	Cowan	Miller	Rogers (Sumter)
Bedsole	Craft	Moore	Sims
Briscoe	Espy	Morris	Smith (Coosa)
Brown	Evins	McDowell	Smith (Lawrence)
Butler	Gunter	Nance	Tally
Caffey	Harper	Phillips	West

—28

Nays:—None.

MESSAGE FROM THE HOUSE.

Mr. President:

The Speaker having signed the following House bills your signature thereto is requested:

H. 414. To amend Sec. 6 of an act entitled "An act to provide for elections to authorize any county in the State to levy and collect a special county tax for public school purposes not to exceed thirty (30) cents on each one hundred dollars (\$100) worth of taxable property in such county; to authorize any school district, in any county that may be levying special county taxes for school purposes of not less than thirty (30) cents on each one hundred dollars (\$100) worth of taxable property in such county, to levy a special district tax for school purposes not to exceed thirty (30) cents on each one hundred dollars (\$100) worth of taxable property in such school district; and to authorize boards of education to issue interest bearing warrants to erect, repair and equip school buildings and to otherwise improve school facilities," approved February 13, 1919.

Also:

H. 798. For the relief of E. R. Bradford.

Also:

H. 408. To amend section 1067 of the Political Code of Alabama.

Also:

H. 853. To amend an act entitled an act "To ratify, confirm and validate the census of the cities and towns in the State of

Alabama of seven (7,000) thousand inhabitants and less, where the same has been taken as provided by the Code of Alabama, 1907, and the report of the same filed in the office of the secretary of State." Approved April 4th, 1911.

Also:

H. 937. To provide for the payment of expenses for automobiles for the use of sheriffs in the discharge of their duties as such in counties of not less than 53,401, nor more than 58,501 population, according to the Federal Census of 1910, or according to any subsequent Federal census.

Also:

H. 1125. To amend subdivision 84 of section 361 of an act to provide for the general revenue of the State of Alabama, approved September 10th, 1919.

Also:

H. 465. To amend an act to provide for the registration of electors.

Also:

H. 978. To provide for the payment of ex-officio fees to clerks of circuit courts in all counties of this State having at the last Federal census or any subsequent Federal census a population of not less than 53,401 and not more than 58,401.

Also:

H. 832. To authorize and direct the sheriff of Marengo county to employ a janitor to keep the courthouse and grounds of said county in a cleanly and sanitary condition; and to authorize and direct the county depository of county funds, or other authority disbursing the funds of said county to pay the monthly salary of said janitor on warrants issued therefor by the probate judge of said county.

Fred H. Gormley,
Clerk.

SIGNING OF BILLS.

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the following bills:

H. 414. To amend Sec. 6 of an act entitled "An act to provide for elections to authorize any county in the State to levy and collect a special county tax for public school purposes not to exceed thirty (30) cents on each one hundred dollars (\$100) worth of taxable property in such county; to authorize any school district,

in any county that may be levying special county taxes for school purposes of not less than thirty (30) cents on each one hundred dollars (\$100) worth of taxable property in such county, to levy a special district tax for school purposes not to exceed thirty (30) cents on each one hundred dollars (\$100) worth of taxable property in such school district; and to authorize boards of education to issue interest bearing warrants to erect, repair and equip school buildings and to otherwise improve school facilities," approved February 13, 1919.

H. 798. For the relief of E. R. Bradford.

H. 408. To amend section 1067 of the Political Code of Alabama.

H. 853. To amend an act entitled an act "To ratify, confirm and validate the census of the cities and towns in the State of Alabama of seven (7,000) thousand inhabitants and less, where the same has been taken as provided by the Code of Alabama, 1907, and the report of the same filed in the office of the secretary of State." Approved April 4th, 1911.

H. 937. To provide for the payment of expenses for automobiles for the use of sheriffs in the discharge of their duties as such in counties of not less than 53,401, nor more than 58,501 population, according to the Federal Census of 1910, or according to any subsequent Federal census.

H. 1125. To amend subdivision 84 of section 361 of an act to provide for the general revenue of the State of Alabama, approved September 10th, 1919.

H. 465. To amend an act to provide for the registration of electors.

H. 978. To provide for the payment of ex-officio fees to clerks of circuit courts in all counties of this State having at the last Federal census or any subsequent Federal census a population of not less than 53,401 and not more than 58,401.

H. 832. To authorize and direct the sheriff of Marengo county to employ a janitor to keep the courthouse and grounds of said county in a cleanly and sanitary condition; and to authorize and direct the county depository of county funds, or other authority disbursing the funds of said county to pay the monthly salary of said janitor on warrants issued therefor by the probate judge of said county.

RECESS.

At 7 o'clock P. M., on motion of Mr. Morris, the Senate took a recess until 8:30 tonight.

NIGHT SESSION—FORTY-EIGHTH DAY.

Tuesday, September 23d, 1919.

The Senate re-assembled at 8:30 o'clock P. M., Lieutenant Governor Miller presiding.

ROLL CALL.

On a call of the roll 26 members answered to their names, a quorum of the Senate, as required by the Constitution.

BILLS ON THIRD READING.

The bill:

H. 926. To provide for the election of a county treasurer by the qualified electors of every county in this State, now having or which may hereafter have a population according to the last Federal census, or any Federal census hereafter taken, of not less than thirty thousand nine hundred and thirty-five, nor more than thirty thousand nine hundred and eighty.

Was read a third time at length and passed.

Yeas, 24; nays, 0.

Yeas:

Messrs:

Beale	Espy	Miller	Rogers (Lauderdale)
Caffey	Evins	Moore	Rogers (Sumter)
Carlton	Gunter	Morris	Sims
Carmichael	Harper	McDowell	Smith (Lawrence)
Cowan	Huddleston	Nance	Tally
Craft	Kelly	Prestwood	West

—24

Nays:—None.

The bill:

H. 690. To amend an act entitled an act to require the bodies of all dead animals to be burned or buried and to provide a penalty for the failure to do so, approved September 22, 1915.

Was read a third time at length and passed.

Yeas, 18; nays, 5.

Yeas:

Messrs:

Beale	Carmichael	Miller	Sims
Briscoe	Cowan	McDowell	Smith (Lawrence)
Butler	Craft	Phillips	Tally
Caffey	Espy	Rogers (Sumter)	West
Carlton	Harper		

—18

Nays:

Messrs:

Kelly	Morris	Rogers (Lauderdale)	Smith (Coosa)
Moore			

—5

The bill:

H. 120. To prohibit the running at large of animals of the cow kind which are not branded or marked; prescribed a penalty for the violation thereof.

Was taken up.

Mr. Prestwood offered the following amendment to said bill:

Amend House bill No. 120 by adding thereto the following to be designated as section 5.

Section 5. Provided this act shall not apply to the following counties: Covington, Coosa, Monroe, Shelby, Chilton, Escambia, Baldwin, Autauga, Jefferson, Barbour, Bibb, Perry, Wilcox, Butler and Conecuh, Marengo and Dale.

Which was adopted.

Yeas, 14; nays, 11.

Yeas:

Messrs:

Butler	Gunter	Moore	Smith (Coosa)
Caffey	Harper	Morris	Smith (Lawrence)
Carlton	Kelly	Prestwood	West
Craft	Miller		

—14

Nays:

Messrs:

Acker	Carmichael	Phillips	Sims
Beale	Cowan	Rogers (Lauderdale)	Tally
Briscoe	Espy	Rogers (Sumter)	

—11

Mr. Beale moved to indefinitely postponed said bill and amendment, which motion prevailed, and said bill and amendment was postponed, by the Senate.

The bill:

H. 365. To ratify, confirm and legalize an election held in Coosa county, Alabama, on the 7th day of November, 1916, to determine the question whether or not the work of tick eradication shall be taken up in Coosa county under the State live stock sanitary board as provided by law, and to ratify, confirm and legalize the notice or proclamation issued by the live stock sanitary board of Alabama declaring in effect the regulations adopted by the live stock sanitary board of Alabama, in the county of Coosa, and to declare in full effect all the regulations adopted by the live stock sanitary board of Alabama, in said county of Coosa, in the State of Alabama, together with the laws of the State pertaining to the same.

Was read a third time at length and passed.

Yeas, 21; nays, 0.

*Yeas:**Messrs:*

Acker	Carmichael	Harper	Rogers (Sumter)
Beale	Cowan	Kelly	Sims
Briscoe	Craft	Miller	Smith (Coosa)
Brown	Espy	Morris	Tally
Butler	Gunter	Prestwood	West
Carlton			

—21

Nays:—None.

INDEFINITE POSTPONEMENT OF BILL.

On motion of Mr. Carmichael, the further consideration of:

S. 693. To direct the manner in which this State shall appoint the number of electors of or for president and vice-president of the United States, to which it may be entitled under the Constitution of the United States, and to prevent the denial or abridgment on account of sex, of the right to vote for such electors of citizens of the United States, or of the State of Alabama, or other person who may, by the Constitution and laws of Alabama, be authorized to vote for electors of or for president and vice-president of the United States.

Was indefinitely postponed by the Senate.

Yeas, 17; nays, 8.

*Yeas:**Messrs:*

Acker	Carmichael	Huddleston	McDowell
Briscoe	Cowan	Miller	Prestwood
Butler	Espy	Moore	Sims
Caffey	Gunter	Morris	Tally
Carlton			

—17

*Nays:**Messrs:*

Beale	Craft	Kelly	Smith (Lawrence)
Brown	Harper	Smith (Coosa)	West

—8

THIRD READING RESUMED.

The bill:

H. 607. To create and designate an additional State trunk road No. 5 to extend from Fort Payne, Alabama, to Scottsboro, Alabama, and confer upon said road all of the rights and privileges now extended to trunk roads in this State.

Was read a third time at length and passed.

Yeas, 24; nays, 0.

*Yeas:**Messrs:*

Acker	Briscoe	Butler	Carlton
Beale	Brown	Caffey	Carmichael

Cowan	Harper	Morris	Sims
Craft	Huddleston	Prestwood	Smith (Lawrence)
Espy	Kelly	Rogers (Lauderdale)	Tally
Gunter	Miller	Rogers (Sumter)	West

—24

Nays:—None.

The bill:

H. 560. To further prescribe the duties of the supernumerary judge of Alabama.

Was read a third time at length and passed.

Yeas, 22; nays, 0.

Yeas:

Messrs:

Acker	Carlton	Harper	McDowell
Beale	Carmichael	Kelly	Sims
Briscoe	Cowan	Miller	Smith (Coosa)
Brown	Craft	Moore	Tally
Butler	Espy	Morris	West
Caffey	Gunter		

—22

Nays:—None.

The bill:

S. 596. To regulate the holding of elections in all counties in this State having more than 35,000 population, according to the last or any succeeding Federal census.

Was taken up.

Mr. West offered the following amendment to said bill:

Amend by substituting after the enacting clause the following:

Section 1. That in all counties in this State having a population of more than 35,000 according to the last or any succeeding Federal census, the polling places for all State, county and municipal elections, including primary, general and special elections, shall be open from eight o'clock A. M. to eight o'clock P. M. Provided that this act shall not apply to towns of less than fifteen hundred population according to the last or any succeeding Federal census.

Section 2. All laws and parts of laws in conflict herewith are hereby repealed.

Section 3. This act shall take effect immediately upon its approval by the governor.

Mr. Prestwood offered the following amendment to the amendment offered by Mr. West, to-wit:

Amend section 1 of amendment by striking out 35,000 where it appears in section 1 and insert in lieu thereof 50,000.

Which was adopted.

And the amendment offered by Mr. West, as thus amended, was then adopted.

Yeas, 24; nays, 0.

Yeas:

Messrs:

Acker	Carlton	Harper	Prestwood
Beale	Carmichael	Huddleston	Rogers (Sumter)
Briscoe	Cowan	Kelly	Sims
Brown	Craft	Miller	Smith (Coosa)
Butler	Espy	Morris	Tally
Caffey	Gunter	McDowell	West

—24

Nays:—None.

And said bill, as thus amended, was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 23; nays, 0.

Yeas:

Messrs:

Acker	Carlton	Harper	Rogers (Sumter)
Beale	Carmichael	Huddleston	Sims
Briscoe	Cowan	Kelly	Smith (Coosa)
Brown	Craft	Morris	Tally
Butler	Espy	McDowell	West
Caffey	Gunter	Prestwood	

—23

Nays:—None.

The bill:

H. 641. To provide for the establishment, discontinuance, construction, use, working and maintenance of the public roads and bridges of Fayette county, Alabama; to define the duties and powers of the court of county commissioners, or other governing body of Fayette county with regard to the same; to fix penalties for the violations of the rules, regulations and laws of the court of county commissioners or other like governing body of said county; to provide for the better building, maintenance and protection of the public roads and bridges of Fayette county; to provide funds, regulations and penalties to carry the provisions and purposes of this act into effect; to provide for the more efficient bridges in Fayette county, Alabama; to provide for the appointment of road foremen in the several precincts in the county, and to fix their compensation and define their duties and powers and penalties for violations thereof; to provide for a commutation fee in lieu of working the roads; to provide for the levy of a special tax of five per cent of one-fourth of one per centum now allowed

by law on all taxable property, to be used exclusively for maintaining and repairing public roads and bridges in Fayette county; to create a separate and special road fund for said county and to prevent obstruction and damage to the public roads and bridges of said county, and to provide penalties for all violations of the road laws.

Was read a third time at length and passed.

Yeas, 23; nays, 0.

Yeas:

Messrs:

Acker	Carlton	Harper	Rogers (Sumter)
Beale	Carmichael	Huddleston	Smith (Coosa)
Briscoe	Cowan	Kelly	Smith (Lawrence)
Brown	Craft	Morris	Tally
Butler	Espy	McDowell	West
Caffey	Gunter	Prestwood	

—23

Nays:—None.

The bill:

H. 730. To require the members of the commissioners court of Crenshaw county, Alabama, to execute bond for the faithful performance of their official duties.

Was read a third time at length and passed.

Yeas, 23; nays, 0.

Yeas:

Messrs:

Acker	Carlton	Huddleston	Rogers (Sumter)
Beale	Carmichael	Kelly	Smith (Coosa)
Briscoe	Cowan	Moore	Smith (Lawrence)
Brown	Craft	Morris	Tally
Butler	Espy	McDowell	West
Caffey	Gunter	Prestwood	

—23

Nays:—None.

The bill:

H. 1030. To prescribe and regulate the payment of certain claims registered against the fine and forfeiture funds of St. Clair county, when there are such funds in the hands of the county treasurer or any bank or individual who are discharging the duties of county treasurer and to give notice to such persons there are funds in the hands of such treasurer for the payment of claims by publication in county newspaper for two weeks.

Was read a third time at length and passed.

Yeas, 22; nays, 0.

Yeas:

Messrs:

Acker	Carlton	Kelly	Prestwood
Beale	Carmichael	Morris	Rogers (Sumter)
Briscoe	Cowan	McDowell	Smith (Coosa)
Brown	Craft	Nance	Smith (Lawrence)
Butler	Espy	Phillips	Tally
Caffey	Gunter		

—22

Nays:—None.

The bill:

S. 679. To further provide for and regulate the safe keeping, care and custody of prisoners in jail, and to provide for the hygiene, sanitation, cleanliness, healthfulness, management and security of all jails including town and city jails, in towns and cities having a population or less than ten thousand, and to further prescribe and define the duties of the State prison inspector, and to provide for the compensation of deputy jailers, watchmen or guards in certain cases and under certain conditions.

Was taken up.

Mr. Tally offered the following amendment to said bill, to-wit:

Amend section 2 of S. bill 679 by adding the following words: Provided the provisions of this act shall not apply to cities which use the county jail.

Which was adopted.

Yeas, 18; nays, 3.

Yeas:

Messrs:

Acker	Carlton	Gunter	McDowell
Beale	Carmichael	Harper	Smith (Coosa)
Briscoe	Cowan	Huddleston	Tally
Butler	Craft	Morris	West
Caffey	Espy		

—18

Nays:

Messrs:

Evins	Kelly	Miller
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—3

Mr. Tally also offered the following amendment to said bill:

Amend S. bill 679 by striking out the word "shall" from section immediately following the words "or board of revenue" and insert the word "may" in lieu thereof.

Which was adopted.

Yeas, 21; nays, 0.

Yeas:

Messrs:

Acker	Espy	Miller	Prestwood
Briscoe	Evins	Moore	Rogers (Sumter)
Butler	Harper	Morris	Sims
Carmichael	Huddleston	McDowell	Smith (Coosa)
Cowan	Kelly	Phillips	Tally
Craft			

—21

Nays:—None.

And said bill, as thus amended, was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 14; nays, 11.

Yeas:

Messrs:

Acker	Caffey	Espy	Sims
Beale	Carmichael	Kelly	Tally
Briscoe	Cowan	Rogers (Sumter)	West
Butler	Craft		

—14

Nays:

Messrs:

Carlton	Harper	Moore	Phillips
Evins	Huddleston	Morris	Prestwood
Gunter	Miller	McDowell	

—11

The bill:

H. 767. To establish and create the Alabama horticultural society for the promotion and development of fruit growing within the State of Alabama and to define its powers and duties.

Was taken up.

The Standing Committee on Agriculture offered the following substitute for said bill, to-wit:

A BILL

To be entitled an act to appropriate five thousand (\$5,000.00) dollars annually to the Alabama State horticultural society for the promotion of horticulture within the State of Alabama.

Whereas, the fruit-growing opportunities of Alabama are favorable and varied and should be a great source of treasury revenue and general income, and

Whereas, through failure to foster such industry Alabama is losing vast taxable assets, and being outstripped by States which have State financed horticultural societies; therefore,

Be it enacted by the Legislature of Alabama:

Section 1. That the sum of five thousand (\$5,000.00) dollars is hereby appropriated, annually, out of the State treasury from moneys not otherwise appropriated until such time as the revenues apportioned to the Alabama State horticultural society and arising from an act to regulate the manufacture, sale and shipment of insecticide and fungicide shall return to said State horticultural society an annual income of five thousand dollars. After which time the appropriation made by this section and act shall automatically cease. During the period that the appropriation made by this section and act is in effect upon requisition of the governor made at his discretion; the State auditor is hereby directed to draw his warrant upon the State treasurer in favor of the treasurer of the Alabama State horticultural society for any sum not in excess of the amount appropriated by this act.

Section 2. The five thousand dollars so appropriated shall be used to unite the fruit growers of the State, provide meetings for the exchange of ideals of value, to publish in annual form a record of such meetings, to assemble and display horticultural products for educational purposes and the advertisement of State advantages to act as a medium of distribution of scientific knowledge acquired by experiment stations and other co-operative agencies, to encourage better methods in production, handling and marketing of horticultural products, together with such other action as in the judgment of its directors will promote horticultural development.

Section 3. All moneys received by the society, whether by appropriation, donation, or otherwise, shall be made payable to the secretary-treasurer and by him be duly accounted for; all expenditures shall be covered by itemized and properly receipted vouchers and shall be audited, and annual reports of the operations of the society, setting out in detail the receipts and disbursements, shall be made to the governor. The secretary-treasurer shall, for the faithful performance of his duties enter into bond in the sum of two thousand dollars (\$2,000) payable to the State of Alabama, such bond to be furnished by a bonding or trust company, acceptable to and approved by the governor.

Section 4. That all laws or parts of laws in conflict with this act be and the same are hereby repealed.

Section 5. That this act shall take effect immediately upon its passage and approval by the governor.

Which was adopted.

Yeas, 21; nays, 1.

Yeas:

Messrs:

Acker	Carlton	Gunter	McDowell
Beale	Carmichael	Harper	Rogers (Sumter)
Briscoe	Cowan	Huddleston	Sims
Brown	Craft	Kelly	Tally
Butler	Espy	Moore	West
Caffey			

—24

Nays:

Mr. Prestwood—1.

And said bill, as thus amended, was read a third time at length and passed.

Yeas, 19; nays, 6.

Yeas:

Messrs:

Acker	Caffey	Espy	Rogers (Sumter)
Beale	Carlton	Harper	Sims
Briscoe	Carmichael	Kelly	Tally
Brown	Cowan	Moore	West
Butler	Craft	McDowell	

—19

Nays:

Messrs:

Evins	Huddleston	Phillips	Prestwood
Gunter	Morris		

—6

The bill:

H. 852. To authorize the commissioners' court of Conecuh county, Alabama, to pay out of the general fund of said county to the tax assessor of said county, the sum of six hundred dollars per annum for extra assistance in his said office.

Was read a third time at length and passed.

Yeas, 22; nays, 0.

Yeas:

Messrs:

Acker	Carlton	Harper	Prestwood
Beale	Carmichael	Kelly	Rogers (Sumter)
Briscoe	Cowan	Morris	Smith (Coosa)
Brown	Craft	McDowell	Tally
Butler	Espy	Phillips	West
Caffey	Gunter		

—22

Nays:—None.

The bill:

H. 553. To provide for the revision, codification, digesting, and promulgation of the public statutes of this State, both civil and criminal.

Was taken up.

Mr. Tally offered the following amendment to the bill:
Amend H. bill 553 by striking out the words: "Judges of the Supreme Court."

Mr. McDowell moved to table the amendment offered by Mr. Tally, which motion prevailed and said amendment was laid on the table.

And said bill was then read a third time at length and passed.
Yeas, 24; nays, 0.

Yeas:

Messrs:

Acker	Carmichael	Kelly	Prestwood
Beale	Cowan	Miller	Rogers (Sumter)
Briscoe	Craft	Moore	Sims
Butler	Gunter	Morris	Smith (Coosa)
Caffey	Harper	McDowell	Tally
Carlton	Huddleston	Phillips	West

—24

Nays:—None.

The bill:

H. 771. To create for the county of Conecuh and State of Alabama the office of county solicitor and to provide for his election by the qualified electors of said county; to prescribe his qualifications and duties, and to fix his compensation as such officer and how the same shall be paid; and to provide for the length of time which he shall hold office.

Was read a third time at length and passed.

Yeas, 23; nays, 0.

Yeas:

Messrs:

Acker	Carmichael	Kelly	Rogers (Sumter)
Beale	Cowan	Miller	Sims
Briscoe	Craft	Morris	Smith (Coosa)
Butler	Gunter	McDowell	Tally
Caffey	Harper	Phillips	West
Carlton	Huddleston	Prestwood	

—23

Nays:—None.

The bill:

H. 890. To fix the salary of deputy solicitors serving in counties having a population of not less than 26,940 nor more than 27,000 according to the last preceding Federal census.

Was taken up.

Mr. Harper offered the following amendment to said bill:

Amend the title to H. 890 by adding thereto the words: "or any subsequent Federal census."

Amend section 1 by adding after the words: "Federal census" where they occur therein, the words: "or any subsequent Federal census."

Which was adopted.

Yeas, 23; nays, 0.

Yeas:

Messrs:

Acker	Carmichael	Kelly	Rogers (Sumter)
Beale	Cowan	Miller	Sims
Briscoe	Craft	Moore	Smith (Coosa)
Butler	Espy	Morris	Tally
Caffey	Gunter	McDowell	West
Carlton	Harper	Prestwood	

—23

Nays:—None.

And said bill, as thus amended, was read a third time at length and passed.

Yeas, 17; Nays, 3.

Yeas:

Messrs:

Beale	Carmichael	Harper	Sims
Briscoe	Cowan	Miller	Smith (Coosa)
Butler	Craft	Moore	Tally
Caffey	Gunter	Prestwood	West
Carlton			

—17

Nays:

Messrs:

Acker	Huddleston	Kelly
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—3

The bill:

H. 844. To define trusts, and to provide for criminal penalties and punishment of corporations, firms and persons, and to promote free competition in commerce and all classes of business, both intrastate business and interstate business, engaged in and carried on by or through any corporation, firm or person.

Was taken up.

Mr. Prestwood offered the following substitute for said bill: Substitute for House bill 844, the following:

A BILL

To be entitled an act to define trusts, monopolies, combines, profiteering and unlawful acts in hoarding, cornering, or storing commodities with the purpose and intent to probably influence the price of food, commodities or any necessities of life and to fix civil and criminal liabilities, penalties or punish-

ment, and to provide remedies for the enforcement thereof in such cases.

Be it enacted by the Legislature of Alabama:

Section 1. A trust or combine within the meaning of this act shall be held to mean and include any combination or agreement or the formation of any plan or design, express or implied between corporations, firms or individuals, or any two or more of them in any of the following instances:

(a) To create, further or carry out any plan, design or scheme to restrict or reduce the output or production or to increase the price of any commodity or necessity of life or to attempt to acquire a monopoly therein within this State.

(b) To prevent or restrict competition in the manufacture, marketing, transportation, selling or purchasing of any produce, commodity or necessity of life.

(c) To fix a price on any commodity or necessity of life and which is not regulated by the supply of or demand for such commodity or necessity of life.

(d) To preclude, restrict or embarrass the freedom of commerce or the competition in trade of any commodity or necessity of life by pooling or hoarding the same.

Section 2. Profiteering within the meaning of this act shall be held to mean the selling or offering for sale of any article, commodity or necessity of life with the intent of obtaining fraudulent or grossly excessive price over its true or intrinsic worth and in the ascertainment of whether such price is fraudulent or grossly excessive regard may be had to the cost price of said article, commodity or necessity of life to the person selling or offering the same; or evidence may be given of the cost price on the market of articles, commodities or necessities of like kind or character.

Section 3. A monopoly within the meaning of this act shall be held to mean any person, firm or corporation or a combination of the same who shall undertake to purchase or in any way or manner get possession or control of any article, commodity or necessity of life for the purpose of withholding the same from the regular and due course of trade with the intent of affecting the price thereof.

Section 4. That it shall be unlawful for any person, firm or corporation to be or remain a party to any profiteering, trust, combine or monopoly, or to hold in any way or manner any food stuff or necessity of life for the purpose of probably affecting the price of such article in this State; and if it be shown that the purpose of profiteering, trust, combine or monopoly was to affect the price of any necessity of life in this State, or that the pur-

pose of any hoarding was to affect the price of any necessity of life, such act, if done, performed, allowed, or permitted in another State, is hereby declared within the contemplation of this act, and shall be deemed to be in the nature of an act, the commission of which was initiated elsewhere and completed in each county in the State where the price of any necessity of life was probably affected.

Section 5. That any person, firm or corporation who violates any provision of this act, shall be subject to suit, instituted in the name of the State by the attorney general, in any county in the State to be selected by the attorney general and in said suit such damages may be recovered as the jury see fit to assess and no verdict thus obtained shall be set aside because the damages awarded are excessive, and provided further, that the attorney general may institute suit in every county in which such person, firm or corporation does business and a recovery or failure to recover in one county shall not bar a recovery in another county; and the pendency of a suit in one county shall not abate a suit pending in another county; the damages that are recoverable shall be deemed both compensatory and punitive, but it shall not be necessary to show that the State actually sustained any damage as a result of a violation of this act, but it shall be presumed that sufficient damage has been sustained to warrant the imposition of the damages awarded.

Section 6. That any person, firm or corporation who shall be guilty of any unlawful combine, trust, monopoly or profiteering as defined herein shall be guilty of a misdemeanor and upon conviction shall be fined not more than five thousand dollars and may also at the discretion of the jury (or the judge if the case be tried without a jury) be imprisoned at hard labor for the county for any period up to two years.

Section 7. That in all cases, the question of whether the party sued violated any provision of this act, shall be a question for the jury.

Section 8. The employees of all persons, firms and corporations or any one of them or none of them, may be joined with the employed at the discretion of the attorney general. Any number of persons, firms or corporations may be joined in one suit.

Section 9. That the action to recover damages under the provisions of this act shall be deemed a civil action and not a criminal proceeding, and all laws and rules applicable to civil practice and procedure shall apply thereto, and the rules applicable to forfeitures in such cases shall not be applicable to any procedure brought under this act, and this act shall be liberally

construed to suppress the mischief aimed at and to advance the remedy.

Section 10. That any juror summoned for jury duty for the trial of any suit brought hereunder who is employed by or interested in or related to any defendant or to any person, firm or corporation that does any business for or with any defendant, shall be subject to challenge for cause at the instance of the attorney general.

Section 11. This act shall take effect upon its approval by the governor, and this act is declared to be merely additional and supplemental legislation on this subject, but shall repeal all laws in conflict herewith.

Section 12. This act is not intended and shall not apply to persons holding food stuffs, farm products or necessities of life raised by themselves or on their own premises, or to persons holding the same for such persons.

Section 13. Any part or provision of this act held to be unconstitutional shall not be held to affect the remainder hereof.

Mr. Evins offered the following amendment to said substitute:

Amend substitute to H. 844 by striking therefrom section 2.

Which was adopted.

Yeas, 17; nays, 11.

Yeas:

Messrs:

Acker	Cowan	Kelly	Rogers (Sumter)
Bedsole	Craft	Miller	Sims
Caffey	Evins	McDowell	Smith (Coosa)
Carlton	Gunter	Rogers (Lauderdale)	Tally
Carmichael			

—17

Nays:

Messrs:

Beale	Espy	Nance	Smith (Lawrence)
Briscoe	Harper	Phillips	West
Butler	Huddleston	Prestwood	

—11

Mr. Acker offered the following amendment to said substitute:

Amend section 5 by inserting in said section after the words "any county in the State" the words: "in which such person, firm or corporation does business."

And by striking out of said section the words: "and no verdict thus obtained shall be set aside because the damages awarded are excessive." Also strike out the words "and a recovery or failure to recover in one county shall not bar a recovery in another county." Also strike out the words: "but it shall be pre-

sumed that sufficient damage has been sustained to warrant the imposition of the damages awarded."

Mr. Rogers of Sumter moved to lay the bill and amendments on the table, which motion was lost.

Yeas, 13; nays, 15.

Yeas:

Messrs:			
Acker	Evins	Moore	Rogers (Sumter)
Bedsole	Kelly	McDowell	Sims
Caffey	Miller	Rogers (Lauderdale)	Smith (Coosa)
Carlton			—13

Nays:

Messrs:			
Beale	Cowan	Harper	Smith (Lawrence)
Briscoe	Craft	Huddleston	Tally
Butler	Espy	Morris	West
Carmichael	Gunter	Prestwood	—15

The question then recurred on the amendment offered by Mr. Acker, and said amendment was adopted.

Yeas, 22; nays, 3.

Yeas:

Messrs:			
Acker	Carlton	Kelly	Phillips
Beale	Carmichael	Miller	Rogers (Sumter)
Briscoe	Cowan	Moore	Sims
Brown	Craft	Morris	Smith (Coosa)
Butler	Espy	McDowell	Tally
Caffey	Harper		—22

Nays:

Messrs:		
Prestwood	Smith (Lawrence)	West
		—3

Mr. Acker also offered the following amendment to said substitute:

Amend by striking out section 7.

Which was adopted.

Yeas, 24; nays, 2.

Yeas:

Messrs:			
Acker	Carlton	Harper	Rogers (Lauderdale)
Beale	Carmichael	Kelly	Rogers (Sumter)
Briscoe	Cowan	Miller	Sims
Brown	Craft	Morris	Smith (Coosa)
Butler	Espy	McDowell	Tally
Caffey	Gunter	Phillips	West
			—24

Nays:

Messrs:	
Prestwood	Smith (Lawrence)
	—2

And said substitute, as thus amended, was then adopted.
Yeas, 19; nays, 4.

<i>Yeas:</i>				
Messrs:				
Acker	Carlton	Harper	Prestwood	
Beale	Carmichael	Huddleston	Sims	
Briscoe	Cowan	Moore	Tally	
Brown	Craft	Morris	West	
Butler	Espy	McDowell		—19

<i>Nays:</i>				
Messrs:				
Kelly	Miller	Rogers (Sumter)	Smith (Coosa)	—4

And said bill, as thus amended, was read a third time at length and passed.

Yeas, 15; Nays, 7.

<i>Yeas:</i>				
Messrs:				
Acker	Butler	Espy	Prestwood	
Beale	Carmichael	Huddleston	Sims	
Briscoe	Cowan	Moore	West	
Brown	Craft	Morris		—15

<i>Nays:</i>				
Messrs:				
Carlton	Kelly	Rogers (Sumter)	Tally	
Harper	Miller	Smith (Coosa)		—7

MESSAGE FROM THE HOUSE.

Mr. President:

The House has originated and passed the following bill:

H. 1085. To make appropriations for the ordinary expenses for the executive, legislative and judicial departments of the State for the interest on the public debt and for the public schools.

And sends same forthwith to the Senate without engrossment.

Fred H. Gormley,
Clerk.

HOUSE MESSAGE.

The House bill in the foregoing House message was read once and referred to appropriate standing committee, as follows:

H. 1085. To the Committee on Finance and Taxation.

INDEFINITE POSTPONEMENT OF SENATE BILLS.

Mr. Acker moved that all Senate bills left on today's calendar be indefinitely postponed, which motion prevailed and the follow-

ing Senate bills were indefinitely postponed by the Senate, to-wit:

S. 388. To enforce better sanitary conditions in hotels, inns, rooming houses, restaurants, cafes, dining rooms, lunch counters, and eating places of any kind or description and any establishment of like character furnishing or providing accommodations for the traveling public, with respect to clean, sanitary rooms, beds, linens, towels, bed furnishings and bed covering, furniture and room furnishings, toilet rooms, wash rooms, wash basins or wash bowls, lavatories, stationery or otherwise, privies and seats or stools thereof, etc., and providing for clean eating and cooking utensils, clean table linens and napkins, and the proper screening of sleeping rooms, dining and serving rooms and kitchens where meals are prepared and served, to provide for a proper inspection of all such establishments by the State board of health of Alabama, to empower and instruct the said State board of health of Alabama, to enforce the provisions of this act through legal channels or proceedings as provided by law, to define offenses for the violation of this act and to fix fines and punishment therefor.

S. 44. To grant the privilege to the United States for acquiring lands in Alabama and ceding to the United States the jurisdiction over such lands so long as the ownership may be retained by the United States.

S. 544. To provide for the payment to judges of probate of all fees, allowances and commissions fixed by law for the collection of licenses and taxes in cases where the license or tax has been paid to some public officer other than the judge of probate within one year next preceding the adoption of this act, or is paid at any time thereafter, whether collected by suit or otherwise.

S. 488. To make an appropriation for certain fencing required for the Confederate soldiers' home at or near Mountain Creek.

S. 524. To amend section 7560 of the Code of 1907.

S. 542. To authorize and require the construction of a public road or highway from the Lower Wetumpka road to Old Fort Toulouse (later Fort Jackson) on the Coosa river, and to provide necessary funds therefor.

S. 472. To amend section 3265 of the Code of 1907.

S. 353. To revise and improve the public health laws of Alabama by amending article 1 of chapter 22 of the Code of Alabama of 1907 and sections 1632 and 1636 of said Code.

S. 480. To abolish the town of Grove Hill and to dissolve the incorporation thereof.

S. 67. To declare the suspension of the corporate functions of certain towns and cities for the revival of such corporate functions.

S. 581. To amend an act approved April 22nd, 1911, entitled, "An act to provide bail pending an appeal in all felony cases where the defendant is sentenced to the penitentiary for a term of five years or less.

S. 510. To amend section 6016 of the Code of Alabama of 1907.

S. 583. To authorize any circuit judge of this State, whenever any person shall be convicted of any non-capital felony or plead guilty thereto, when such person is over the age of sixteen years if such conviction shall be the first conviction of the defendant of a felony, to suspend the execution of the sentence pronounced upon such person and place such person in custody of any suitable resident citizen of the State or State parole agent, during good behavior; and to provide for reports on such person and for the revocation of such suspended sentence by such judge without notice and the arrest and committal of such person to serve such sentence.

S. 308. To submit to the qualified electors of this State at a special election to be held at the call of the governor after ninety days from the final adjournment of this Legislature for their consideration an amendment to the Constitution for the purpose of authorizing counties to levy special taxes for the construction and maintenance of public roads and bridges; to fix the debt limit and tax limit of counties, to provide for validating the outstanding debt incurred by counties for the construction of highways, roads, bridges or other public improvements; to permit the same and all other outstanding interest bearing debt to be refunded into bonds and to provide for the payment of the same.

S. 558. To divide Conecuh county, Alabama, into four commissioners districts; to provide for the election of county commissioners for said county from each of such districts by the qualified electors of said districts; to provide elections at which the county commissioners for said county shall be elected and to provide for and fix their term of office.

S. 556. To dispose of the fine and forfeiture fund in Conecuh county, Alabama, and to provide for the payment of all claims which are by law a charge against said fund.

S. 554. To encourage production on farms in Alabama and to exempt from taxation certain farm implements and machinery.

S. 555. To encourage the production of pure bred registered live stock in the State of Alabama and to exempt from taxation pure bred live stock for four years from date of purchase. .

S. 590. To amend section 5978 (3852) (692) (596) (675) (577) of the Code of Alabama.

S. 81. For the submission of the question, convention or no convention to a vote of the qualified electors of the State of Alabama, and to provide for the holding of a convention to revise and amend the Constitution of the State of Alabama, and to provide for the election of delegates to such convention.

S. 592. To amend subdivision 7, section 1678, chapter 41, of the Code of 1907.

S. 498. To make an appropriation for the purchase of grounds and buildings and the erection of buildings, the proper equipment of the buildings of the State normal school of Daphne, Alabama.

S. 8. To amend chapter 230 of the Code of Alabama of 1907, relating to hotels and inn keepers; and to include therein regulation of cafes, restaurants and eating places.

S. 612. Allowing costs and fees to officers for the service of process from juvenile courts and for feeding prisoners committed by or held for or under such courts, and to repeal all laws and parts of laws, general, local, private and special in conflict with this act.

S. 552. To change the name of the "Mercy Home Industrial School for Girls," located at Birmingham, Alabama, to the Alabama Vocational School for Girls, and to provide appropriations for the support, maintenance and improvement of the same.

S. 437. To establish an inferior court in all cities in Alabama which now have or may hereafter have a population of 100,000 or more inhabitants according to the last or any future Federal census, in lieu of inferior courts now having three or more divisions, which said inferior courts having been created in lieu of justices of the peace in such cities or precincts, or subdivisions of such cities, to define the jurisdiction of said courts, provide places for holding same, terms, salaries of judges, officers and clerks, the manner of election of such judges, clerks, the payment of salaries, and to repeal any and all laws, special, general or local in conflict therewith.

S. 682. To provide that when any city or town in this State has heretofore acquired, or may hereafter acquire, by purchase, assignment or otherwise, any mortgage on real estate, that such city or town shall have a lien on such real estate for the amount expended or advanced by it, with interest thereon, and may enforce such lien by appropriate proceedings in the equity side of the circuit court.

S. 681. To authorize and empower cities and towns of the State of Alabama to contract with the United States of America,

the State of Alabama, and any county of the State of Alabama, for the construction or improvement, or the reconstruction or reimprovement of streets, avenues and highways when such streets, avenues or highways are established, constructed, reconstructed, improved or re-improved by the United States government, the State of Alabama, or any county of the State of Alabama, and to agree upon the proportionate share of the cost of such assessment to be paid by any municipality; and to provide for the assessment of the same against the property benefited; and to authorize the issuance of bonds for such public improvements; and to provide that such proceedings shall be governed by the general laws of Alabama relating to assessments for public improvements, except as herein provided.

S. 683. To authorize and empower cities and towns to license and regulate private employment agencies, and to revoke the license of such private employment agencies for violation of such regulations.

S. 462. To amend section 7628 of the Code.

S. 447. To prevent the tethering, tying out or staking out of any cow, calf, horse, mule, hog, goat, sheep or other live stock or animal upon any public road in this State or along the side of or so near to any public road that such animal so tethered, tied out or staked out may go upon the public road.

S. 569. To create the Alabama railroad and public utilities commission, with the powers and jurisdiction of the Alabama public service commission, and with additional powers and jurisdiction to supervise and regulate in the public interest: (a) the rates, fares and charges; (b) facilities, practice rules and service; (c) franchises, licenses and contracts; (d) the financing and securities; and (e) the construction of new common carriers and agencies and utilities affected with a public interest or rendering public service of any kind.

S. 694. To provide for the construction of a fireproof building for the safekeeping of all county records in all counties of the State having more than 150,000 population according to the last or any succeeding Federal census and to provide for the keeping of records therein.

S. 688. To require in each county the probate judge or clerk of the board of revenue keeping the minutes of the court of county commissioners or board of revenue, as the case may be, and the county treasurer or, where that office is abolished, the custodian of the county funds, to make and publish an annual statement of the financial condition of the county, and to file a copy thereof with the State auditor showing the financial condition of the county, including the assessed valuation of its prop-

erty, the amount of the constitutional limit of its indebtedness, and the rate of taxes levied general and special.

S. 333. To amend section 3615 of the Code of Alabama.

S. 441. To amend section 4109 of the Code of Alabama.

S. 616. To authorize the court of county commissioners in counties having a population of not less than 30,815, and not more than 30,915 according to the Federal census of 1910, or any subsequent census, to fix such commutation fee as they may deem proper, not to exceed ten dollars, to be paid by persons subject to work on the public roads in such counties in lieu of road work, and to repeal all laws in conflict with the provisions of this act.

S. 670. To amend sections 3 and 4 of an act entitled, "An act to change the name of the railroad commission of Alabama to the Alabama public service commission, and to enlarge its authority, powers and jurisdiction," approved September 25, 1915.

S. 689. To amend section 1780 of the Code of Alabama of 1907.

S. 690. To make an appropriation for the State board of education.

S. 429. To make an appropriation for the support and maintenance of the Alabama Tuberculosis Commission, created and incorporated under and by virtue of a certain act of the Legislature of Alabama, and approved September 22, 1915, entitled: An act to prevent the spread of tuberculosis by the creation of a tuberculosis commission, to provide for its organization and work, and to authorize the erection and maintenance of local hospitals under its supervision.

S. 700. To make an appropriation for the rebuilding of the Ninth District Agricultural School now located by law at Blountsville, Blount county, in this State.

S. 691. To make appropriations to the State department of education.

S. 751. To authorize the secretary of State to purchase six hundred and fifty copies of Acuff's Supplement to Code of Alabama (1907) for distribution as provided by this act.

S. 704. To provide that in all the counties of the State of Alabama, having a population of not less than 39,920, nor more than 39,925 according to the last preceding or any subsequent Federal census, that the interest on all interest bearing warrants issued from and after the passage and approval of this act, by the court of county commissioners, board of revenue or other governing board of such counties, or by authority of such court of county commissioners, boards of revenue, or other governing board of such counties, shall be a preferred claim against the

general fund of such counties, shall be payable out of the general fund of such counties each year, and to provide the manner and time of the payment of such interest out of said general fund.

S. 708. To provide for the election of all members of boards of revenue or courts of county commissioners by the qualified voters of the whole county in all counties in this State having a population of more than eighty-two thousand people and less than two hundred thousand people, according to the last Federal census, or according to any such census hereafter to be taken. Also to provide that the members of such boards or courts shall be resident citizens and qualified voters of the districts which they represent and to repeal all laws in conflict with the provisions of this act.

S. 702. To authorize the courts of county commissioners, boards of revenue, or like officers of each county of the State of Alabama, to pay for the improvements or constructing of public roads, public highways, bridges, crossways, culverts, viaducts or other public improvements which may have been heretofore ordered made by such court of county commissioners, boards of revenue, or within any municipality within their county, and which remains unpaid because such court of county commissioners, board of revenue, or like officers had no authority to order such improvements, or for any other reason.

S. 758. To create the office of county law librarian, to prescribe his duties and to fix his compensation.

S. 769. To amend section 6207 of the Code of Alabama.

S. 765. To provide for the appointment by the auditor of a clerk to be known as pension clerk or deputy pension commissioner, and to fix his salary and manner of compensation.

S. 384. To confer additional powers, authority and jurisdiction on and to further prescribe the duties of the board of control and economy created by the act of the Legislature approved February 13, 1919; to abolish the board of convict inspectors and the offices of the members and employees thereof and to confer upon the State board of control and economy all the power, authority and jurisdiction heretofore exercised by or under the authority of the State board of convict inspectors, and to impose upon the board of control and economy all the duties heretofore required of the State board of convict inspectors; to confer upon the board of control and economy general supervision and authority over the office of the State prison inspector who shall henceforth discharge the duties of his office in connection with and as a part of the work of the State board of control and economy; to confer upon the board of control and economy certain duties and authority with reference to the public printing and binding, and

other powers and authority incident to the more efficient control and co-ordination of the business operations of this State.

S. 766. To amend sections 10, 11, 12, 13, and 17 of an act entitled "An act to provide for and regulate the manufacture and sale of 'commercial feeding stuffs' in Alabama; to further provide for registration, tagging, sampling and analyzing 'commercial feeding stuffs' and to fix penalties for violations of this act,' so as to regulate the sale of 'commercial feeding stuffs;' to define the same and to prohibit the adulteration thereof, to provide for their correct weight, sampling, analyses, and marketing; to authorize the commissioner of agriculture and industries to prescribe rules and regulations for carrying out the provisions of this act, here to establish in the department of agriculture and industries, a division of foods, feeds and drugs, to be charged with the execution of this act; to authorize the commissioner of agriculture and industries to appoint an assistant as supervisor of said division, and to appoint other necessary clerical assistance; to provide for the payment of salaries and expenses out of the funds accruing hereunder; and to fix penalties for violation of this act," approved February 15th, 1919.

S. 768. To license all manufacturers and dealers in non-carbonated beverages, soft drinks and other non-intoxicating liquids, and to prescribe penalties for violation of this act.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has amended as therein shown and as amended has passed:

S. 531. To prescribe the various classes of stock that may be issued by corporations, to declare the rights, powers and limitations of the holders of the same, and to prescribe the methods of authorizing the issue thereof, and to provide a remedy against any unauthorized or illegal issue thereof heretofore or hereafter made, and a statute of limitations barring that or any other remedy against the same.

And returns same herewith to the Senate.

Fred H. Gormley.

HOUSE MESSAGE.

On motion of Mr. Acker, the Senate concurred in the following amendment by the House to Senate bill No. 531, the title of which is set out in the foregoing message from the House, to-wit:

A BILL

To be entitled an act to prescribe the various classes of stock that may be issued by corporations, to declare the rights, powers and limitations of the holders of the same, and to prescribe the methods of authorizing the issue thereof, and to provide a remedy against any unauthorized or illegal issue thereof heretofore or hereafter made, and a statute of limitations barring that or any other remedy against the same.

Be it enacted by the Legislature of Alabama:

Section 1. That any corporation heretofore or hereafter organized under the laws of the State of Alabama shall have power to create or authorize and provide for the issue of two or more kinds of stock of such classes, (including debenture stock and preferred stock of one or more classes), in such proportions as between the different classes of stock, which such designations, preferences, (including preferences as to dividends and assets), voting power or restrictions or qualifications thereof, or without voting power, (except as to the creation of bonded indebtedness, the increase of bonded indebtedness, the increase of capital stock and the issuance of preferred stock), and with such rights of redemption, retirement and conversion, and provisions as to security, as shall be stated or expressed in the certificate of incorporation or in any certificate of amendment thereof or in a joint agreement of merger or consolidation adopted as provided by the laws of Alabama; and the power to increase or decrease the stock of the corporation by joint agreement of merger or consolidation or otherwise, as provided by the laws of Alabama, shall apply to all or any of the classes of stock.

Section 2. Stock of a class preferred in any respect over stock of any other class may be created or authorized by provision in the original certificate of incorporation as fixed or may be created or authorized at any time or from time to time after the filing of such original certificate with the consent of the owners of two-thirds of the capital stock of the corporation at the time outstanding and such consent may be expressed in an amendment of the original certificate of incorporation or in a joint agreement of merger or consolidation duly adopted and filed in the office of the secretary of State as provided by law, or at a meeting of the stockholders called for the purpose and if at such meeting the persons owning two-thirds of the capital stock vote in favor of creating or authorizing the issue of stock so preferred, the proceedings of the meeting shall be reduced to writing and certified by the president or chief executive officer and by the secretary of the corporation under the corporate seal, and filed

and recorded in the office of the probate judge of the county in which is located the principal place of business of the corporation as designate in its certificate of incorporation or any amendment thereof or joint agreement of merger or consolidation and in the office of the secretary of State. Before the issuance of any stock of the corporation so preferred, each stockholder shall be first offered and entitled to the privilege of taking such stock so preferred in the same proportion as his holdings of common stock, or such less amount, if any, as he may desire within thirty days of such offer, before the stock so preferred is offered for sale to the public, unless otherwise provided in the certificate of incorporation or any amendment thereof or joint agreement of merger or consolidation. Any corporation with existing provisions in its charter or certificate of incorporation or any amendment thereof or joint agreement of merger or consolidation with reference to the issue of preferred stock or increase of stock or the terms and conditions upon which preferred stock has been or may be issued, may issue or increase its preferred or common stock in accordance with the provisions of its said charter or certificate of incorporation or any amendment thereof or joint agreement of merger or consolidation; provided, only, that no preferred stock other than that created or authorized in the original certificate of incorporation shall be issued unless such stock has been created or authorized by a vote of the holders of two-thirds of the capital stock as aforesaid and any increase in the authorized amount of preferred stock shall be by proceedings as provided by the laws of Alabama.

Section 3. Any corporation heretofore or hereafter organized under the laws of the State of Alabama, other than building and loan associations, insurance companies, banks and trust companies, may, if so provided in its certificate of incorporation or any amendment thereof or joint agreement of merger or consolidation duly adopted as provided by the laws of Alabama, issue shares of stock, either common or preferred, without any nominal or par value. Every share of such stock without nominal or par value shall be equal to every other share of such stock, except that the certificate of incorporation or any amendment thereof or joint agreement of merger or consolidation may provide that such stock shall be divided into different classes with such preferences, designations and voting powers or restrictions or qualifications thereof as shall be stated therein, but all common stock issued shall be subordinate to the preferences given to preferred stock, if any. Unless otherwise provided in the certificate of incorporation or any amendment thereof or joint agreement of merger or consolidation, stockholders shall be en-

titled to one vote for each share of such stock owned by them and may vote either in person or by proxy. Stock without any nominal or par value may be issued by the board of directors of the corporation from time to time for such consideration as may be fixed from time to time by the board of directors thereof, pursuant to authority conferred in the certificate of incorporation or any amendment thereof or joint agreement of merger or consolidation, or if such authority is not so conferred, then pursuant to authority of the holders of two-thirds of the stock then outstanding and entitled to vote given at a meeting called for that purpose in such manner as shall be prescribed by the by-laws, and any or all of such shares so issued, the full consideration for which has been paid or delivered, shall be deemed fully paid stock and not liable to any call or assessment thereon, and the holder of such shares shall not be liable for any further payments on account thereof either to the corporation or to its creditors. The preferences, rights, limitations, privileges and restrictions incident to stock without nominal or par value may be stated in dollars and cents per share in respect to shares of stock issued in pursuance of the provisions of this act. Nothing in this act contained shall be construed as excepting or relieving a corporation from any requirement of law as to the amount in dollars of paid in capital in cash or otherwise which it must have at the time of its organization.

Section 4. In any case in which the law requires that the par value of the shares of stock of a corporation be stated in any certificate or paper, it shall be stated in respect of such shares that such shares are without par value, and wherever the amount of stock authorized or issued is required to be stated the number of shares authorized or issued shall be stated, and it shall also be stated that such shares are without par value. For the purpose of the taxes prescribed to be paid on the filing of any certificate or other paper relating to corporations, and of franchise taxes prescribed to be paid by corporations to the State of Alabama, but for no other purpose, such shares shall be taken to be of the value of one hundred dollars per share.

Section 5. Jurisdiction is hereby conferred upon courts having equity jurisdiction, to be invoked by appropriate bill, to determine the validity or invalidity of any stock in corporations, heretofore or hereafter authorized or issued, and to correct or cancel the same, and any certificate issued therefor, when such validity or invalidity depends upon the proportions between the amount of preferred and common stock under the provisions of any law heretofore existing, or the issue of stock without the consent of the necessary number of stockholders, or the issue of stock

without the filing of any certificate required by law to be filed, or any defect, insufficiency or irregularity in the proceeding authorizing the issue of such stock or in any such certificate. But all actions hereunder, or under any existing law or laws heretofore enacted for the purpose herein specified, or under any existing right or cause of action at common law or in equity with respect to the matters herein specified, which have not at the date of the approval of this act already been barred, shall be barred unless brought within one year after the approval of this act as to stock heretofore issued or authorized to be issued, and shall be barred within one year from the date of the issue or the authorization of the stock as to stock hereafter issued or authorized to be issued, and in the event no such action is brought within the time hereinabove specified, such stock shall thereafter be valid for all purposes as fully and to the same extent as if issued and authorized by due authority and pursuant to law.

Section 6. Section 3479 of the Code of Alabama, and all other sections or parts of sections of said Code inconsistent herewith, and all acts or parts of act inconsistent herewith, are hereby repealed.

Yeas, 27; nays, 0.

Yeas:

Messrs:

Acker	Cowan	Kelly	Rogers (Lauderdale)
Beale	Craft	Miller	Rogers (Sumter)
Bedsole	Espy	Moore	Sims
Butler	Evins	Morris	Smith (Lawrence)
Caffey	Gunter	McDowell	Tally
Carlton	Harper	Nance	West
Carmichael	Huddleston	Prestwood	

—27

Nays:—None.

ADJOURNMENT.

On motion of Mr. Briscoe, the Senate, at 11 o'clock P. M., adjourned until 9 o'clock Thursday morning, September 25th, 1919.

FORTY-NINTH DAY.

Thursday, September 25th, 1919.

The Senate met pursuant to adjournment, Lieutenant Governor Miller, presiding.

PRAYER.

By Rev. Johnson of Montgomery.

ROLL CALL.

Present:

Mr. President and

Messrs:

Acker	Carmichael	Huddleston	Prestwood
Baker	Cowan	Kelly	Rogers (Lauderdale)
Beale	Craft	Miller	Rogers (Sumter)
Bedsole	Ellis	Moore	Sims
Briscoe	Espy	Morris	Smith (Coosa)
Brown	Evins	McDowell	Smith (Lawrence)
Butler	Gunter	Nance	Tally
Caffey	Harper	Phillips	West
Carlton			

—33

JOURNAL.

On motion of Mr. Miller, the reading of yesterday's Journal was dispensed with and same approved by the Senate.

REPORTS OF COMMITTEES.

Mr. Acker, chairman of the Standing Committee on Judiciary, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Dansby:

H. 1127. To require every State official, or official holding office under the authority of the State, and who is paid a salary or receives pecuniary profit for his services as such official, and whose office or post of duty is located in the capitol building or in the city of Montgomery, to reside or live in or sufficiently near to the city of Montgomery as that such office or post of duty shall be reasonably accessible to him daily, and to provide for the impeachment or removal of such official on failure to comply with the requirements of this act.

By Mr. Jones of Montgomery:

H. 757. To amend section 3503 of the Code of Alabama of 1907.

By Mr. Ingram:

H. 813. To amend section 7000 of the Code of Alabama, 1907.

By Mr. Cobbs (with substitute):

H. 520. To amend sections 5443, 5444 and 5446 of the Code of Alabama, concerning quieting titles to land, and to make further provisions on that subject, and include removing of clouds in such cases.

By Mr. Allen:

H. 987. To declare a lien in favor of landlords upon livestock raised or grazed upon rented lands.

By Mr. Holmes of Baldwin:

H. 688. To provide for the organization of land owners, of any county, of districts within said county, for the purpose of building, improving and maintaining public roads in such districts, to confer the right of eminent domain to the extent necessary to carry out the purposes of this act, to provide for raising the funds by bond issue or otherwise, to pay the costs of building and maintaining such highways by assessment of the lands in said district in proportion to the benefits received by reason of such improvement.

By Mr. Lynne (by request) (with amendment):

H. 935. To amend section 153 of the Code of Alabama.

Mr. Miller, chairman of the Standing Committee on Revision of Laws, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Orr:

H. 751. To further prohibit disturbances at churches, school houses, or at other public places. To prevent injuries to automobiles and other vehicles parked at such places.

By Mr. Sparks:

H. 849. To amend section 1313 of the Code of Alabama of 1907.

Mr. Butler, chairman of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Holmes of Baldwin:

H. 281. For the further protection of human beings and live stock of all kinds. To impose a tax on dogs over the age of three months and to provide further that dogs running at large, except fox hounds and deer hounds wearing collars upon which the owners' names and addresses are printed, shall wear muzzles; to require the registration of all dogs by the probate judge in their respective counties; to provide for the necessary supplies to carry this act into effect and to provide for compensating the probate judge for his services as required herein; to provide that the funds derived from the license on dogs herein imposed by this act shall be paid to the county treasurer and kept separate and apart, and shall be known as the dog tax fund which fund shall be used in defraying the traveling expenses to and from the State Pasteur Institute of persons who have been bitten by mad dogs and who are unable to defray their own expenses, also their expenses while under treatment at this Institute; likewise the funds created by this act shall be used in remunerating persons who sustain loss from dogs crippling or killing their live stock, and to provide that at the end of each fiscal year the balance remaining in the dog tax fund shall be paid by the county treasurer to the county board of education for distribution among the public schools of the county, in which the license is collected, and apportioned to the different school districts in proportion to the amount of licenses collected in such district.

By Mr. Holmes of Baldwin:

H. 335. To amend section 813 of the Code of Alabama, as amended by section 3 of an act to amend sections 811, 812, 813, 814, 815, 818, and 819 of the Code of Alabama, approved September 28, 1915.

By Mr. Sparks:

H. 1043. To further provide for and regulate the safekeeping, care and custody of prisoners in jail, and to provide for the hygiene, sanitation, cleanliness, healthfulness, management and security of all jails including town and city jails, in towns and cities having a population of less than ten thousand, and to further prescribe and define the duties of the State prison inspector, and to provide for the compensation of deputy jailers, watchmen or guards in certain cases and under certain conditions.

By Mr. Seale:

H. 492. To make an appropriation out of the State treasury to pay premiums on Alabama raised steers and to provide how and by what means said amount shall be paid.

By Mr. Shaw:

H. 842. To encourage the manufacture of air nitrates in the State of Alabama, by exempting from taxation the plants, products and other property of any person, firm or corporation acquiring either by lease or purchase, any factory or plant already built in this State for the production and manufacture of atmospheric nitrogen.

By Mr. Murphree (with amendment):

H. 1085. To make appropriations for the ordinary expenses for the executive, legislative and judicial departments of the State for the interest on the public debt and for the public schools.

Mr. Carmichael, chairman of the Standing Committee on Education, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Partridge:

H. 944. To provide for the establishment and maintenance of public libraries by counties, to provide for their government and supervision, and to authorize the co-operation and affiliation of rural, town and village school libraries with any libraries so organized.

By Mr. Carnley:

H. 862. To better secure compliance with the laws of Alabama, requiring instruction of all pupils in public schools, and in all schools and colleges supported in whole or in part by public money, or under State control, with reference to the effect of alcoholic drinks, stimulants and narcotics upon the human system.

By Mr. Dunaway:

H. 157. To provide for extension work in agriculture and home economics by giving instruction to men, women and young people in the several counties in Alabama, by continuing and improving farm demonstration work, by organizing marketing clubs, by organizing and supervising boys' corn and pig clubs, girls' canning clubs, women's clubs in home economics and by conducting other extension work through other means, all with a view to making farm life more profitable and attractive; to secure for Alabama the full amount of the funds conditionally appropriated by Congress under the Smith-Lever extension act for extension work in agriculture and home economics; and to make appropriations for these purposes.

Mr. Espy, chairman of the Standing Committee on Agriculture, reported that said committee, in session, had acted on the

following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Smith:

H. 785. To further regulate public gins and ginneries in this State.

By Mr. Brindley (with amendment):

H. 898. To amend sections 2, 10, 11, 12, 13 and 17 of an act entitled "An act to provide for and regulate the manufacture and sale of "commercial feeding stuffs" in Alabama; to further provide for registration, tagging, sampling and analyzing "commercial feeding stuffs" and to fix penalties for violations of this act," so as to regulate the sale of 'commercial feeding stuffs'; to define the same and to prohibit the adulteration thereof, to provide for their correct weight, sampling, analyses, and marketing; to authorize the commissioner of agriculture and industries to prescribe rules and regulations for carrying out the provisions of this act; to establish in the department of agriculture and industries, a division of foods, feeds and drugs, to be charged with the execution of this act; to authorize the commissioner of agriculture and industries to appoint an assistant as supervisor of said division, and to appoint other necessary clerical assistance; to provide for the payment of salaries and expenses out of the funds accruing hereunder; and to fix penalties for violations of this act. Approved Feb. 15th, 1919.

By Mr. Adams (with amendment):

H. 418. To authorize the boards of revenue or county commissioners of the separate counties of the State of Alabama to indemnify owners of cattle for injuries, damages or deaths caused by dipping such cattle in compliance with the laws of the State and with the rules and regulations of the State live stock sanitary board.

Mr. Smith (Lawrence), chairman of the Standing Committee on Printing, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Lynne:

H. 1037. To provide for the sale of the printed and bound volumes of the reports of the decisions of the court of appeals of Alabama.

By Mr. Lynne:

H. 1036. To provide for the sale of the printed and bound volumes of the reports of the decisions of the supreme court of Alabama.

Mr. Bedsole, chairman of the Standing Committee on Temperance, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Baker:

H. 378. To further suppress the evils of intemperance; to prohibit the manufacture, sale, giving away or having in possession any still, apparatus, appliance or any device or substitute therefor to be used in the manufacture of prohibited liquors and beverages.

Mr. Miller, chairman of the Standing Committee on Revision of Laws, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with an adverse report, and it was read a second time and placed on the adverse calendar, to-wit:

By Mr. Lynne:

H. 554. To provide for and regulate the making of reports to the chief justice of the supreme court by the clerks and registers of the circuit courts, the clerks of the county courts, the judges of probate and the clerks of the supreme court and the court of appeals, and to provide penalties for failure to comply with the provisions of this act.

Mr. Butler, chairman of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with an adverse report, and it was read a second time and placed on the adverse calendar, to-wit:

By Mr. Faulk:

H. 737. To further regulate receipts and disbursements in this State.

BILLS ON THIRD READING.

The bill:

H. 805. To better provide for the payment of State witnesses in the county of Conecuh.

Was read a third time at length and passed.

Yeas, 22; Nays, 0.

Yeas:

Messrs:

Acker
Baker
Beale
Bedsole

Briscoe
Brown
Butler
Caffey

Carmichael
Craft
Espy
Gunter

Harper
Kelly
Miller
Morris

McDowell
Prestwood

Rogers (Sumter) Tally
Smith (Coosa)

West

—22

Nays:—None.

The bill:

H. 750. To designate a part of the Alabama State trunk highway, beginning on the Mississippi state line, where the Armory and Smithville road crossed the State line, thence across the State of Alabama to the city of Attalla, intersecting the highway to Gadsden, Rome, Georgia, and Cedartown, Georgia, as a State trunk highway, and to provide that the said State trunk highway, created by the provisions of this act, shall receive such benefits as other State trunk highways heretofore established.

Was read a third time at length and passed.

Yeas, 22; Nays, 0.

Yeas:

Messrs:

Acker Carmichael
Baker Craft
Beale Ellis
Bedsole Espy
Brown Gunter
Carlton Harper

Kelly Sims
Miller Smith (Coosa)
Morris Smith (Lawrence)
Phillips Tally
Rogers (Lauderdale) West

—22

Nays:—None.

The bill:

H. 865. To regulate the fine and forfeiture fund of Crenshaw county.

Was read a third time at length and passed.

Yeas, 22; Nays, 0.

Yeas:

Messrs:

Acker Butler
Baker Carlton
Beale Carmichael
Bedsole Craft
Briscoe Ellis
Brown Evins

Gunter Rogers (Lauderdale)
Kelly Sims
Miller Smith (Lawrence)
McDowell Tally
Phillips West

—22

Nays:—None.

The bill:

H. 1056. To fix the salary of all judges of probate in all counties in this State which now have, or which may hereafter have a population of as much as eighty-two thousand people and less

than two hundred thousand people according to the last Federal census or any such census which may hereafter be taken, who are now or may hereafter be paid on a salary basis, and also for clerical help and other expenses and to provide for payment thereof.

Was read a third time at length and passed.

Yeas, 23; Nays, 0.

Nays:

Messrs:

Acker	Caffey	Harper	Rogers (Sumter)
Baker	Carlton	Kelly	Smith (Coosa)
Beale	Carmichael	Miller	Smith (Lawrence)
Bedsole	Craft	Morris	Tally
Briscoe	Espy	Nance	West
Brown	Gunter	Prestwood	

—23

Nays:—None.

The bill:

H. 973. To create the office of county treasurer for Shelby county, to provide for his election and the filling of vacancies, to prescribe his duties and compensation.

Was read a third time at length and passed.

Yeas, 21; Nays, 0.

Yeas:

Messrs:

Acker	Caffey	Gunter	Prestwood
Baker	Carlton	Harper	Rogers (Sumter)
Beale	Carmichael	Kelly	Sims
Bedsole	Craft	Moore	Smith (Lawrence)
Briscoe	Espy	Morris	Acker
Brown			

—21

Nays:—None.

The bill:

H. 819. For the relief of A. P. White, Sr., ex-sheriff of Dale county, Alabama, for the paying the expense of a guard to the State of Florida for bringing back one Marvin Gissendannah, charged with assault with intent to murder in the circuit court of Dale county, Alabama, for which he was convicted and sent to the penitentiary for fifteen years.

Was read a third time at length and passed.

Yeas, 25; Nays, 0.

Yeas:

Messrs:

Acker	Beale	Briscoe	Butler
Baker	Bedsole	Brown	Caffey

Carlton	Gunter	McDowell	Smith (Coosa)
Carmichael	Huddleston	Prestwood	Smith (Lawrence)
Cowan	Kelly	Rogers (Sumter)	Tally
Craft	Morris	Sims	West
Espy			

—25

Nays:—None.

The bill:

H. 481. To amend an act entitled an act to amend section 1 of an act entitled "An act to designate certain public roads of the State as State trunk roads and to provide the manner in which the State roads shall be located, improved and maintained, approved September 10th, 1915," which amended act was approved February 19, 1919.

Was read a third time at length and passed.

Yeas, 20; Nays, 0.

Yeas:

Messrs:

Acker	Brown	Espy	McDowell
Baker	Butler	Gunter	Prestwood
Beale	Carlton	Huddleston	Rogers (Sumter)
Bedsole	Cowan	Kelly	Smith (Coosa)
Briscoe	Craft	Moore	Tally

—20

Nays:—None.

The bill:

H. 1068. To vacate the dedication of all streets, roads, avenues and alleys through, over, on or across the following described property, situated in the county of Montgomery and State of Alabama, to-wit: Beginning at the half mile corner in the center of section ten (10), township sixteen (16), range seventeen (17); thence west twenty-one hundred forty-five (2,145) feet to the right of way of the Mobile & Ohio railroad; thence along said railroad right of way north forty (40°) degrees thirty (30') minutes west twenty-eight hundred two (2,802) feet; thence and continue with said railroad right of way north forty-two and one-half (42½°) degrees west one hundred ninety-four (194) feet to a stake; thence north forty-nine (49°) degrees thirty (30') minutes east twelve hundred forty-three (1,243) feet; thence north seventy-two and one-half (72½°) degrees east six hundred three (603) feet; thence north forty-four (44°) degrees east nine hundred sixty-two (962) feet to the Washington Ferry road; thence along the west side of said road south fifty-three and one-half (53½°) degrees east nine hundred (900) feet; thence and continue with said road south forty-five and one-half

(45½°) degrees east two hundred twenty-five (225) feet; thence and continue with said road south thirty-nine (39°) degrees thirty (30') minutes east five hundred (500) feet; thence and continue with said road south thirty (30') minutes east one hundred one (101) feet; thence and continue with said road south sixteen (16°) degrees east five hundred (500) feet; thence and continue with said road south thirty (30') minutes east five hundred (500) feet; thence and continue with said road south twenty (20°) degrees east one hundred eighty (180) feet; thence and continue with said road south twenty-seven (27°) degrees east eighty-nine (89) feet to a stake; thence south one (1°) degree west five hundred eighty-one (581) feet to a stake; thence east three hundred seventy-seven (377) feet to a stake; thence south along the half section line five hundred eighty-seven (587) feet and to a point three hundred seventy-three (373) feet north of the said center of section ten (10); thence south fifty-seven and one-half (57½°) degrees east ninety-four (94) feet; thence south eighty-six (86°) degrees east eight hundred nineteen (819) feet; thence south fifteen (15°) degrees east two hundred sixty-four (264) feet to a stake; thence west forty-one (41) feet; thence south fifteen (15°) degrees east two thousand sixty-five (2,065) feet to the Selma road, thence along said road south seventy-five (75°) degrees west five hundred seven (507) feet; thence south fifty-four (54°) degrees west one hundred forty-two (142) feet along the said road, thence and continue with said Selma road south forty-four (44°) degrees west five hundred forty-three (543) feet to the intersection of the right of way of the Mobile & Ohio railroad; thence along and with the curvature of said railroad right of way north seventy-two (72°) degrees west two hundred seventy (270) feet; thence and continue with said railroad right of way north sixty-five and one-half (65½°) degrees west two hundred forty-five (245) feet to the half section line dividing section ten (10); thence north along said half section line twenty-four hundred twenty (2,420) feet to the center of section ten (10), township sixteen (16), range seventeen (17), the said point of beginning.

Was read a third time at length and passed.

Yeas, 21; Nays, 0.

Yeas:

Messrs:

Acker

Baker

Beale

Bedsole

Briscoe

Brown

Butler

Carlton

Carmichael

Cowan

Ellis

Evins

Gunter

Kelly

Moore

Morris

Prestwood

Rogers (Sumter)

Smith (Coosa)

Smith (Lawrence)

West

—21

Nays:—None.

The bill:

H. 993. To create and designate an additional trunk road, extending from the town of Heflin in Cleburne county east to the Georgia state line along the public road now laid out and forming a part of what is known as the Bankhead highway, and to confer upon said road all of the rights and privileges now extended to trunk roads in this State.

Was read a third time at length and passed.

Yeas, 23; Nays, 0.

Yeas:

Messrs:

Acker	Butler	Griffith	Rogers (Sumter)
Baker	Caffey	Harper	Smith (Coosa)
Beale	Carlton	Kelly	Smith (Lawrence)
Bedsole	Carmichael	Morris	Tally
Briscoe	Cowan	McDowell	West
Brown	Ellis	Prestwood	

—23

Nays:—None.

The bill:

H. 549. To provide for the relief of E. C. Childs, tax collector, Geneva county, Alabama, during the year 1910, in the matter of refunding \$448.50, on account of an unused poll tax receipt book being charged to him in the final settlement for the year 1910 by the State auditor, and to make an appropriation for the refund of this \$448.50 to E. C. Childs.

Was read a third time at length and passed.

Yeas, 21; Nays, 0.

Yeas:

Messrs:

Baker	Cowan	Harper	Rogers (Lauderdale)
Beale	Craft	Huddleston	Sims
Bedsole	Ellis	Kelly	Smith (Coosa)
Briscoe	Espy	Morris	Tally
Brown	Evins	McDowell	West
Caffey			

—21

Nays:—None.

The bill:

H. 1078. To provide for the relief of B. Ivey Burt, and to make an appropriation therefor.

Was read a third time at length and passed.

Yeas, 24; Nays, 0.

Yeas:

Messrs:

Acker	Bedsole	Brown	Carmichael
Baker	Briscoe	Caffey	Cowan

Espy	Kelly	Phillips	Sims
Gunter	Moore	Prestwood	Smith (Lawrence)
Harper	Morris	Rogers (Lauderdale)	Tally
Huddleston	McDowell	Rogers (Sumter)	West

—24

Nays:—None.

The bill:

H. 307. For the relief of Watt T. Brown for amount paid to the State for lands it did not own at the time of the sale to said Watt T. Brown.

Was read a third time at length and passed.

Yeas, 23; Nays, 0.

Yeas:

Messrs:			
Acker	Cowan	Moore	Rogers (Sumter)
Baker	Espy	Morris	Sims
Bedsole	Gunter	McDowell	Smith (Lawrence)
Briscoe	Harper	Phillips	Tally
Caffey	Huddleston	Prestwood	West
Carmichael	Kelly	Rogers (Lauderdale)	

—23

Nays:—None.

The bill:

H. 211. For the relief of Cora Rasco, of Jefferson county, Alabama, for the death of her husband, Robert F. Dickinson, who was killed by falling rock in Lucile Mine, in Bibb county, Alabama, on the 26th day of May, 1913, while in the employment of the State of Alabama.

Was read a third time at length and passed.

Yeas, 24; Nays, 0.

Yeas:

Messrs:			
Acker	Carmichael	Kelly	Rogers (Lauderdale)
Baker	Cowan	Moore	Rogers (Sumter)
Bedsole	Espy	Morris	Sims
Briscoe	Gunter	McDowell	Smith (Lawrence)
Brown	Harper	Phillips	Tally
Caffey	Huddleston	Prestwood	West

—24

Nays:—None.

The bill:

H. 1028. To provide for elections, to be held at the time of holding general elections in this State in all counties in which local county stock laws are now in force, having not less than 30,815 nor more than 30,915 population, either by the Federal census of 1910, or by any subsequent census to ascertain whether

a majority of the qualified electors of such counties desire or favor a modification of said local stock law.

Was read a third time at length and passed.

Yeas, 24; Nays, 0.

Yeas:

Messrs:

Acker	Carmichael	Kelly	Rogers (Lauderdale)
Baker	Cowan	Moore	Rogers (Sumter)
Bedsole	Espy	Morris	Sims
Briscoe	Gunter	McDowell	Smith (Lawrence)
Brown	Harper	Phillips	Tally
Caffey	Huddleston	Prestwood	West

—24

Nays:—None.

The bill:

H. 524. For the relief of Honor McNicholas, John Muldowney, Mary Muldowney Walsh, Martin J. Muldowney, Andrew George Muldowney and Nora Muldowney OHara.

Was read a third time at length and passed.

Yeas, 24; Nays, 0.

Yeas:

Messrs:

Acker	Carmichael	Kelly	Rogers (Lauderdale)
Baker	Cowan	Moore	Rogers (Sumter)
Bedsole	Espy	Morris	Sims
Briscoe	Gunter	McDowell	Smith (Lawrence)
Brown	Harper	Phillips	Tally
Caffey	Huddleston	Prestwood	West

—24

Nays:—None.

The bill:

H. 851. To dispose of the fine and forfeiture fund in Conecuh county, Alabama, and to provide for the payment of all claims which are by law a charge against said fund.

Was read a third time at length and passed.

Yeas, 24; Nays, 0.

Yeas:

Messrs:

Acker	Carmichael	Kelly	Rogers (Lauderdale)
Baker	Cowan	Moore	Rogers (Sumter)
Bedsole	Espy	Morris	Sims
Briscoe	Gunter	McDowell	Smith (Lawrence)
Brown	Harper	Phillips	Tally
Caffey	Huddleston	Prestwood	West

—24

Nays:—None.

The bill:

H. 947. To provide for a deputy watchman, or attendant for each jail and prison in all counties having a population of not less than thirty thousand nine hundred and seventy-five and not more than thirty-one thousand according to the last or any subsequent Federal census, whenever the court of county commissioners or court of like jurisdiction in said counties deem same necessary to the well-being of the prisoners confined in said jail or prison and shall by resolution duly passed require the sheriff to employ such deputies, warden or attendant and, to provide for the payment of his services, and to prescribe his duties.

Was read a third time at length and passed.

Yeas, 24; Nays, 0.

Yeas:

Messrs:

Acker	Carmichael	Kelly	Rogers (Sumter)
Baker	Cowan	Moore	Rogers (Sumter)
Bedsole	Espy	Morris	Sims
Briscoe	Gunter	McDowell	Smith (Lawrence)
Brown	Harper	Phillips	Tally
Caffey	Huddleston	Prestwood	West

—24

Nays:—None.

The bill:

H. 964. To amend an act to designate certain public roads of the State of Alabama as State trunk roads and to provide the manner in which such roads shall be located, improved and maintained, enacted by the Legislature of Alabama, approved September 10th, 1915.

Was read a third time at length and passed.

Yeas, 24; Nays, 0.

Yeas:

Messrs:

Acker	Butler	Evins	McDowell
Baker	Caffey	Gunter	Phillips
Beale	Carlton	Harper	Rogers (Sumter)
Bedsole	Carmichael	Huddleston	Smith (Lawrence)
Briscoe	Craft	Miller	Tally
Brown	Ellis	Morris	West

—24

Nays:—None.

The bill:

H. 591. To regulate the office of tax assessor in all counties of the State of Alabama which has a population of as much as 33,781 and not more than 33,800 according to the last Federal

census and fix the compensation of such tax assessors and to provide for the payment thereof.

Was read a third time at length and passed.

Yeas, 24; Nays, 0.

Yeas:

Messrs:

Acker	Butler	Evins	McDowell
Baker	Caffey	Gunter	Phillips
Beale	Carlton	Harper	Rogers (Sumter)
Bedsole	Carmichael	Huddleston	Smith (Lawrence)
Briscoe	Craft	Miller	Tally
Brown	Ellis	Morris	West

—24

Nays:—None.

The bill:

H. 1076. To provide that in all the counties of the State of Alabama having a population of not less than 39,920 nor more than 39,925 according to the last preceding Federal census, that the interest on all interest-bearing warrants issued from and after the passage and approval of this act, by the court of county commissioners, board of revenue or other governing body of such counties, by whatever name called shall be a preferred claim against the general fund of such counties, shall be payable out of the general fund of such counties each year, and to provide the time and manner of the payment of such interest out of said general fund.

Was read a third time at length and passed.

Yeas, 24; Nays, 0.

Yeas:

Messrs:

Acker	Butler	Evins	McDowell
Baker	Caffey	Gunter	Phillips
Beale	Carlton	Harper	Rogers (Sumter)
Bedsole	Carmichael	Huddleston	Smith (Lawrence)
Briscoe	Craft	Miller	Tally
Brown	Ellis	Morris	West

—24

Nays:—None.

The bill:

H. 760. To make an appropriation of two hundred and eighty-two dollars for the relief of George W. Morris, a Confederate soldier of Randolph county.

Was read a third time at length and passed.

Yeas, 20; Nays, 0.

Yeas:

Messrs:

Acker	Brown	Craft	McDowell
Baker	Butler	Espy	Phillips
Beale	Caffey	Gunter	Rogers (Sumter)
Bedsole	Carlton	Harper	Smith (Coosa)
Briscoe	Carmichael	Miller	West

—20

Nays:—None.

BILL TABLED.

On motion of Mr. Sims, the bill:

H. 573. To regulate and prescribe the manner of electing the county commissioners of Talladega county.

Was laid on the table.

THIRD READINGS RESUMED.

The bill:

H. 521. For the relief of H. S. Brown, of Randolph county, Alabama, to refund certain moneys erroneously or illegally collected from him as money due the State of Alabama on lands.

Was read a third time at length and passed.

Yeas, 21; Nays, 0.

Yeas:

Messrs:

Acker	Butler	Evins	Phillips
Baker	Caffey	Gunter	Rogers (Lauderdale)
Beale	Carlton	Huddleston	Sims
Bedsole	Carmichael	Miller	Smith (Lawrence)
Briscoe	Craft	Morris	West
Brown			

—21

Nays:—None.

The bill:

H. 410. For the relief of H. C. Davidson, trustee for Camp Lomax United Confederate Veterans, and to require the county's proportion of the license money paid by said H. C. Davidson, as said trustee, in March, 1917, to be refunded by the treasurer of Montgomery county, or the person or corporation acting as such treasurer, and requiring the auditor of the State of Alabama to draw his warrant, for the amount or proportion of said license money which the State received, in favor of said H. C. Davidson, trustee, the total being \$120.00.

Was read a third time at length and passed.

Yeas, 22; Nays, 0.

*Yeas:**Messrs:*

Acker	Butler	Espy	Phillips
Baker	Caffey	Gunter	Rogers (Sumter)
Beale	Carlton	Huddleston	Smith (Coosa)
Bedsole	Carmichael	Miller	Tally
Briscoe	Cowan	Morris	West
Brown	Craft		

—22

Nays:—None.**The bill:**

H. 695. To ratify and make legal certain claims and script registered against the fine and forfeiture fund of Crenshaw county and to authorize and empower the treasurer of the county to pay the same.

Was read a third time at length and passed.

Yeas, 19; Nays, 0.

*Yeas:**Messrs:*

Acker	Carmichael	McDowell	Smith (Coosa)
Baker	Craft	Phillips	Smith (Lawrence)
Bedsole	Evins	Rogers (Lauderdale)	Tally
Briscoe	Gunter	Rogers (Sumter)	West
Caffey	Kelly	Sims	

—19

Nays:—None.**The bill:**

H. 590. To regulate the office of tax collector in all counties of the State of Alabama which has a population of as much as 33,781 and not more than 33,800 according to the last Federal census and fix the compensation of such tax collectors and to provide for the payment thereof.

Was taken up. Mr. Cowan offered the following amendment to said bill:

Amend H. 590 by adding to the caption and the bill after the words last, before the word Federal, the words: "or any succeeding."

Which was adopted.

Yeas, 19; Nays, 0.

*Yeas:**Messrs:*

Acker	Carmichael	McDowell	Smith (Coosa)
Baker	Craft	Phillips	Smith (Lawrence)
Bedsole	Evins	Rogers (Lauderdale)	Tally
Briscoe	Gunter	Rogers (Sumter)	West
Caffey	Kelly	Sims	

—19.

Nays:—None.

And said bill, as thus amended, was read a third time at length and passed.

Yeas, 19; Nays, 0.

Yeas:

Messrs:

Acker	Carmichael	McDowell	Smith (Coosa)
Baker	Craft	Phillips	Smith (Lawrence)
Bedsole	Evins	Rogers (Lauderdale)	Tally
Briscoe	Gunter	Rogers (Sumter)	West
Caffey	Kelly	Sims	

—19

Nays:—None.

The bill:

H. 992. To create the office of county solicitor for Crenshaw county; to prescribe his qualifications and duties; to provide for his election by the qualified electors of the county; to provide for the filling of vacancies in said office; to fix his salary and prescribe the length of term of his office and to repeal conflicting laws.

Was read a third time at length and passed.

Yeas, 19; Nays, 0.

Yeas:

Messrs:

Acker	Carmichael	McDowell	Smith (Coosa)
Baker	Craft	Phillips	Smith (Lawrence)
Bedsole	Evins	Rogers (Lauderdale)	Tally
Briscoe	Gunter	Rogers (Sumter)	West
Caffey	Kelly	Sims	

—19

Nays:—None.

The bill:

H. 1077. To provide that in all counties of the State of Alabama, having a population of not less than 39,920 nor more than 39,925 according to the last preceding Federal census, the interest on outstanding road warrants issued by such counties, where such outstanding road warrants amount to the sum of \$140,000.00 and bear interest at the rate of six (6%) per centum per annum, shall become a preferred claim against the general fund of such counties, shall be paid out of the general fund of such counties and to provide the manner of the payment of such interest.

Was read a third time at length and passed.

Yeas, 20; Nays, 0.

Yeas :

Messrs :

Acker	Carmichael	Kelly	Rogers (Sumter)
Baker	Ellis	Miller	Sims
Beale	Evins	Morris	Smith (Lawrence)
Briscoe	Gunter	Nance	Tally
Caffey	Huddleston	Prestwood	West

—20

Nays :—None.

The bill:

H. 969. To amend an act entitled "An act to provide for the establishment, discontinuance, construction, use, working and maintenance, of the public roads, bridges and ferries of the several counties of this State; to define the duties and powers of the boards of revenue, courts of county commissioners, or other governing bodies of each of the several counties with regard to same; and to fix penalties for the violation of the rules, regulations and laws of the boards of revenue, courts of county commissioners or other like governing bodies of the several counties, approved September 22, 1915.

Was read a third time at length and passed.

Yeas, 20; Nays, 0.

Yeas :

Messrs :

Acker	Brown	Cowan	Kelly
Baker	Butler	Craft	Miller
Beale	Caffey	Espy	Morris
Bedsole	Carlton	Gunter	Sims
Briscoe	Carmichael	Harper	West

—20

Nays :—None.

The bill:

H. 904. For the relief of J. S. Ward and R. H. Wood.

Was read a third time at length and passed.

Yeas, 19; Nays, 0.

Yeas :

Messrs :

Acker	Caffey	Huddleston	Rogers (Sumter)
Baker	Carmichael	Miller	Smith (Coosa)
Beale	Craft	Morris	Tally
Bedsole	Evins	Phillips	West
Brown	Gunter	Rogers (Lauderdale)	

—19

Nays :—None.

The bill:

H. 949. To designate a certain public road of Alabama as a State trunk road, and to provide the manner in which said road shall be located, improved and maintained.

Was read a third time at length and passed.
Yeas, 22; Nays, 0.

Yeas:

Messrs:

Acker	Butler	Gunter	Prestwood
Baker	Caffey	Huddleston	Rogers (Sumter)
Beale	Carlton	Kelly	Smith (Coosa)
Bedsole	Carmichael	Moore	Tally
Briscoe	Craft	McDowell	West
Brown	Evins		

—22

Nays:—None.

The bill:

H. 913. To provide for the payment of the expenses and compensation of a guard incurred in bringing back to the State of Alabama from Little Rock, Arkansas, L. W. Griffith, a fugitive from justice, charged under proper process with the charge of burglary and grand larceny; and brought back to Alabama under due and legal authority and requisition of the governor of Alabama.

Was read a third time at length and passed.

Yeas, 25; Nays, 0.

Yeas:

Messrs:

Acker	Caffey	Espy	Moore
Baker	Carlton	Evins	McDowell
Beale	Carmichael	Gunter	Rogers (Lauderdale)
Bedsole	Cowan	Harper	Rogers (Sumter)
Briscoe	Craft	Huddleston	Tally
Brown	Ellis	Miller	West
Butler			

—25

Nays:—None.

RESOLUTION.

Mr. Carmichael offered the following resolution:

S. R. 158. Resolved by the Senate, that the governor be requested to return to the Senate S. J. R. 126, rejecting the suffrage amendment to the constitution of the United States, the same having been erroneously sent to the governor.

Which was, under a suspension of the rules, adopted.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has concurred in and adopted the Senate amendments to the bills:

H. 512. To provide for absent qualified electors of the State of Alabama to vote in any general, special or municipal election in this State while absent from the State or from the county or precinct in which he is a qualified elector; to provide the method of carrying out such provisions, and to require the election officers and others charged with duties hereunder to perform duties in connection therewith.

H. 890. To fix the salary of deputy solicitors serving in counties having a population of not less than 26,940 nor more than 27,000, according to the last preceding Federal census, or any subsequent Federal census.

H. 634. To prevnt frauds and impositions upon the people of the State and to protect investors.

Fred H. Gormley,
Clerk.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has originated and passed the following joint resolution:

By Mr. Arnold:

H. J. R. 384. Resolved, by the House, the Senate concurring, that the Senate be requested to return House bill No. 981 to the House for further consideration.

Fred H. Gormley,
Clerk.

HOUSE MESSAGE.

On motion of Mr. West, H. J. R. 384, set out in the foregoing message from the House, was indefinitely postponed by the Senate.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has non-concurred in the Senate amendment to the bill:

H. 844. To define trusts, and to provide for criminal penalties and punishment of corporations, firms and persons, and to promote free competition in commerce and all classes of business, both intrastate business and interstate business, engaged in and carried on by or through any corporation, firm or person.

And asks for a committee of conference. And the Speaker of the House has appointed as conferees on the part of the House, Messrs. Lynne, Orr and Dansby.

Fred H. Gormley,
Clerk.

HOUSE MESSAGE.

On motion of Mr. Briscoe, the Senate accedes to the request of the House for a committee of conference on the disagreement of the two houses on the Senate amendment to House bill No. 844, the title of which is set out in the foregoing message from the House, and the President of the Senate appointed as conferees on part of the Senate Messrs. Briscoe, Prestwood and Acker.

REPORT FROM RULES COMMITTEE.

Mr. Acker, chairman of the Standing Committee on Rules, reported that said committee, in session, had acted on the following resolutions and ordered same returned to the Senate, to-wit:

Favorably: S. J. R. 157. Relative to the Secretary of the Senate, assistant secretary, chief clerk and four other clerks; the Clerk of the House, assistant clerk of the House, Reading Clerk of the House and five other clerks to be named by the Clerk of the House, being allowed thirty days after adjournment to check the journals and registers.

And on motion of Mr. Acker, said resolution was, under a suspension of the rules, adopted and ordered sent forthwith to the House without engrossment.

Adversed: S. J. R. 146. Relative to payment to Miss Margaret Thompson, assistant to the Enrolling Clerk of the Senate, for twenty-six days work for which she received no compensation.

And said resolution was read a second time and placed on the adverse calendar.

Also favorably, S. R. 154, with the following substitute:

Resolved, that Rule 3 of Senate Rules be amended so as to read as follows:

"No Senator shall speak more than twice on any question under debate and shall not consume more than five minutes at each time without leave of the Senate; but the originator of the motion or chairman of the committee reporting the measure shall have the right to conclude the debate, the originator of the motion or pending question to have precedence.

Resolved that on the public health bill one hour and 15 minutes may be taken by each side in the discussion, no Senator to speak more than 15 minutes on any one amendment.

And on motion of Mr. Acker said substitute was adopted, and said resolution, as thus amended, was, under a suspension of the rules, adopted.

Also favorably: S. R. 155. Resolved by the Senate, that the House be requested to return to the Senate, H. 974.

And on motion of Mr. Acker said resolution was, under a suspension of the rules, adopted by the Senate.

BILLS ON THIRD READING RESUMED.

The bill:

H. 903. For the relief of Robert Thrasher.

Was read a third time at length and passed.

Yeas, 20; Nays, 0.

Yeas:

Messrs:

Acker	Brown	Cowan	Moore
Baker	Butler	Craft	McDowell
Beale	Caffey	Ellis	Prestwood
Bedsole	Carlton	Gunter	Sims
Briscoe	Carmichael	Kelly	Smith (Lawrence)

—20

Nays:—None.

The bill:

H. 762. To fix the salary of the judge of the county court in all counties having a population of not less than twenty-three thousand one hundred and fifty (23,150) and not more than twenty-three thousand two hundred and fifty (23,250) according to the Federal census of 1910 and provide for the payment of the same.

Was taken up.

The Committee on Finance and Taxation offered the following amendment to said bill, to-wit:

Amend H. 762 by striking out the words: "Twelve hundred dollars" wherever they occur in said bill and inserting in lieu thereof the words: "Six hundred dollars."

Which was adopted.

Yeas, 20; Nays, 0.

Yeas:

Messrs:

Acker	Butler	Gunter	Prestwood
Baker	Carlton	Huddleston	Rogers (Sumter)
Beale	Carmichael	Kelly	Smith (Coosa)
Bedsole	Craft	Moore	Tally
Briscoe	Espy	McDowell	West

—20

Nays:—None.

Mr. Harper offered the following amendment to said bill, to-wit:

Amend title and section 1 of House bill 762 respectively, by adding next after the words "according to the Federal census of

1910" where they occur in the title and in said section, the words: "or any subsequent Federal census."

Which was adopted.

Yeas, 19; Nays, 0.

Yeas:

Messrs:

Acker	Caffey	Moore	Smith (Coosa)
Bedsole	Cowan	Morris	Smith (Lawrence)
Briscoe	Ellis	McDowell	Tally
Brown	Evins	Rogers (Lauderdale)	West
Butler	Harper	Sims	

—19

Nays:—None.

And said bill, as thus amended, was read a third time at length and passed.

Yeas, 21; Nays, 0.

Yeas:

Messrs:

Acker	Carlton	Harper	Rogers (Lauderdale)
Baker	Cowan	Kelly	Sims
Beale	Craft	Moore	Smith (Coosa)
Bedsole	Ellis	McDowell	Smith (Lawrence)
Briscoe	Evins	Phillips	West
Butler			

—21

Nays:—None.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill:

S. 593. To provide and submit to the qualified electors of the State of Alabama at an election to be held on the first Monday after the expiration of three months from and after the final adjournment of the present session of the Legislature at which this amendment is proposed, an amendment to the Constitution of the State of Alabama, whereby the following municipal corporations, Birmingham, Bessemer, Huntsville, Florence, Selma, Anniston, Athens, Jacksonville, Auburn, Fairfield, Carbon Hill, Mobile and LaFayette, in the State of Alabama, may levy and collect a rate of taxation on the property situated therein not exceeding in the total in any one year one and one-half ($1\frac{1}{2}$) per centum of the value of such property as assessed, as provided by the Constitution and statutes now or hereafter enacted pursuant to the Constitution; provided, that the total rate of taxation levied by such municipal corporation shall not in any one year exceed

one (1) per centum, unless the rate in excess thereof shall have been submitted to and authorized by ballot by the qualified electors of such municipal corporations, respectively, at elections to be held by them from time to time for such purposes and to provide for such elections.

And returns said bill to the Senate.

Fred H. Gormley,
Clerk.

HOUSE MESSAGE.

On motion of Mr. Craft, the Senate non-concurred in the following amendment by the House to Senate bill No. 593, the title of which is set out in the foregoing message from the House, to-wit:

Amend the bill by adding in the caption and the body of said bill immediately before the word "Birmingham" wherever it appears the words "Tuscumbia, Sheffield, Hurtsboro, Russellville, Lanett, Demopolis, Pell City, Heflin, Columbiana, Carrollton, Opelika, Fairhope, Pine Hill, Scottsboro, Stevenson, Ashland, Brewton, Pollard, Flomaton, Atmore, Inglenook, Tuskegee, Aliceville, Gordo, Reform, Livingston, Camden, Monroeville, Phoenix and Girard.

Amend the bill so as to strike out the word "Mobile" wherever it appears in the caption and in bill.

Amend section 1 by adding after the words "one and one-half (1½) per centum in any one year" and before the words "each election" where they appear on second page of said bill in lines 14 and 15, the following:

"Provided, further, that the adoption of this amendment, shall in no wise affect, limit, modify, abridge or impair the power, authority or right of either of said municipal corporations, to levy and collect the special school taxes now or hereafter vested in or conferred upon them or any of them under the Constitution or any amendment thereto; including the power of said city of Selma to levy and collect the taxes for schools and school purposes vested in and conferred upon said city of Selma by the amendment to the Constitution of Alabama adopted thereto at the general election held in November, 1916, and which was submitted under law number 315, General Laws, 1915, page 337.

And requests a committee of conference, and pursuant to such request the President of the Senate appointed as conferees on part of the Senate, Messrs. West, Rogers of Lauderdale, Ellis, Tally and Phillips.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has passed the following Senate bills:

S. 566. To establish a school at Eufaula, Alabama, to be known as the Southeast Alabama Industrial School, to provide for its management and to make an appropriation therefor.

Also:

S. 712. To make appropriations to the Alabama Girls Technical Institute.

Also:

S. 713. To make appropriations to the University of Alabama.

Also:

S. 716. To provide for making appropriations to the Alabama Polytechnic Institute.

And returns same to the Senate.

Fred H. Gormley,
Clerk.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has passed the following Senate bills:

S. 285. To make an appropriation for the relief of Robert H. Greene.

Also:

S. 546. For the creation, organization and maintenance of stump and land clearing districts in the State of Alabama for the purpose of clearing and stumping land or lands, not now fitted for agricultural purposes, for sanitary or agricultural purposes, or when the same may be conducive to the public health, convenience or welfare, or of public utility or benefit, by clearing or stumping or otherwise; to define the privileges, powers, duties and liabilities of such stump and land clearing districts, the officers and agents thereof; to provide for the levying of taxes upon the property in said clearing district or districts authorizing the issuance of bonds by such stump and land clearing districts; and giving to said stump and land clearing districts full power to acquire such machinery, tools, lands and property as may be necessary and proper for its purposes.

Also:

S. 521. To create the department of examiners of accounts, to prescribe its powers, duties and functions, provide for the appointment of a chief examiner and assistant examiners, to regulate the duties and compensation of such officials, and to provide clerical help for said department.

Also:

S. 532. To authorize the consolidation of contiguous territory in two or more adjoining counties into one school district; to provide for the management and control of the school or schools of such consolidated district; to provide for the levy and expenditure of funds and for the issuance of interest bearing warrants for the erection, repair or equipment of school buildings in such consolidated district; to provide for the maintenance and support of the school or schools in such consolidated district, and to ratify and confirm local tax elections held in the territory consolidated prior to such consolidation.

Also:

S. 750. To fix the compensation of the several State executive officers, officers of departments and boards, subordinate officers, clerks, watchmen and capitol servants.

And returns same to the Senate.

Fred H. Gormley,
Clerk.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has amended as therein shown and as amended has passed:

S. 218. To submit to the qualified electors of this State at a special election to be held at the call of the governor after ninety days from the final adjournment of this Legislature for their consideration of an amendment to the Constitution for the purpose of authorizing the State to establish and maintain a State highway system of public roads and bridges, to issue interest bearing bonds therefor, to authorize the levy and collection of automobile or other motor driven vehicle taxes by the State for said purposes and to provide for the establishment and maintenance of said State highway system, public roads and bridges according to such regulations as the Legislature may have prescribed or may hereafter prescribe.

And returns same herewith to the Senate.

Fred H. Gormley,
Clerk.

HOUSE MESSAGE.

On motion of Mr. Rogers of Sumter, the Senate concurred in the following amendments by the House to Senate bill No. 218, the title of which is set out in the foregoing message from the House, to-wit:

Amend subdivision B, section 3, Senate bill 218, by striking out the following words: "But the highway department shall, out of the monies derived from the sale of said bonds, and the funds provided by law, build, construct and maintain not less than thirty miles of road in each county of this State, subject to the approval of the governor as had and obtained."

Also amend section 3 by adding subdivision C, which said subdivision shall read as follows:

C. That the State highway commission or highway department shall locate, construct and maintain, the highways or State trunk roads so as to connect each county seat with the county seats of the adjoining counties by the most direct and most feasible route by a permanent road having due regard to the public welfare and to connect the county seats of the several border counties at or near the State line with a public road in the border states. Provided that in counties divided into two judicial divisions in each of which regular terms of the circuit court are held, the places where said terms of court are held, shall be connected with each other.

It shall be the duty of said State highway commission or highway department to equitably apportion among the several counties the expenditures of both money and labor and the time or times of making such investments; said roads to be constructed and maintained without expense to the several counties.

Amend section 3 by striking out after the words "by him" in line 28, page 2, of the bill the following:

"That said bonds and interest coupons shall be signed by the chairman of the State highway commission, countersigned by the State treasurer, and the issuance thereof approved by the governor."

And insert in lieu the following words:

"That said bonds shall be signed by the governor, State auditor and State treasurer, and shall have the Great Seal of the State attached thereto, attested by the secretary of the State. The coupons shall be numbered and signed by the State treasurer."

Yeas, 27; Nays, 1.

Yeas:

Messrs:

Acker
Baker
Beale
Bedsole
Butler
Caffey
Carlton

Carmichael
Cowan
Craft
Ellis
Espy
Evins
Gunter

Harper
Huddleston
Kelly
Miller
Moore
Morris
McDowell

Phillips
Rogers (Lauderdale)
Sims
Smith (Coosa)
Tally
West

—27

Nays:

Mr. Prestwood—1.

RECONSIDERATION OF VOTE.

Mr. Gunter moved to reconsider the vote by which the bill:

H. 767. To establish and create the Alabama horticultural society for the promotion and development of fruit growing within the State of Alabama and to define its powers and duties.

Was lost, which motion prevailed and said vote was reconsidered.

THIRD READINGS RESUMED.

The bill:

H. 191. To promote the public health, convenience and welfare by leveeing, ditching, draining and pumping out the water from the wet, swamp and overflowed lands, in all counties of Alabama having in them incorporated cities which now have or which may hereafter have a population of as much as fifty thousand and less than one hundred and twenty-five thousand people, according to the last Federal census, or any such census which may hereafter be taken, and providing for the establishment of levee or drainage districts for the purpose of enlarging or changing any natural water courses, and for digging ditches or canals for securing better drainage, or providing better outlets for drainage, for building levees or embankments and installing tide gates or pumping plants for the reclamation of overflowed and tidal lands, and prescribing a method for so doing, and providing for the assessment and collection of the costs and expenses of the same, and issuing and selling bonds therefor, and for the care and maintenance of such improvements, when constructed.

Was read a third time at length and passed.

Yeas, 21; Nays, 0.

Yeas:

Messrs:

Acker	Cowan	Kelly	Rogers (Lauderdale)
Bedsole	Craft	Miller	Sims
Briscoe	Espy	Moore	Smith (Lawrence)
Butler	Gunter	Morris	Tally
Caffey	Harper	McDowell	West
Carmichael			

—21

Nays:—None.

The bill:

H. 783. To repeal an act to require the commissioners' court of Morgan county, to work all the county convicts of said county

on the public roads of said county passed by the Legislature of Alabama at the session of 1911 and approved on March 11th, 1911.

Was read a third time at length and passed.

Yeas, 20; Nays, 0.

Yeas:

Messrs:

Acker	Craft	Moore	Sims
Beale	Evins	McDowell	Smith (Coosa)
Briscoe	Gunter	Phillips	Smith (Lawrence)
Butler	Harper	Rogers (Lauderdale)	Tally
Carlton	Huddleston	Rogers (Sumter)	West

—20

Nays:—None.

The bill:

H. 600. Regulating the fine and forfeiture fund of Coffee county.

Was read a third time at length and passed.

Yeas, 20; Nays, 0.

Yeas:

Messrs:

Acker	Brown	Craft	Phillips
Baker	Butler	Evins	Rogers (Sumter)
Beale	Caffey	Harper	Smith (Coosa)
Bedsole	Carlton	Miller	Tally
Briscoe	Carmichael	Morris	West

—20

Nays:—None.

The bill:

H. 231. To amend section 1 of an act entitled an act to designate certain public roads of the State of Alabama as State trunk roads, and to provide the manner in which such roads shall be located, improved and maintained. Approved September 10, 1915.

Was read a third time at length and passed.

Yeas, 19; Nays, 0.

Yeas:

Messrs:

Acker	Cowan	Huddleston	Rogers (Lauderdale)
Baker	Craft	Miller	Sims
Bedsole	Espy	Moore	Smith (Lawrence)
Brown	Evins	McDowell	West
Caffey	Gunter	Phillips	

—19

Nays:—None.

The bill:

H. 965. To amend an act to designate certain public roads of the State of Alabama as State trunk roads and to provide the manner in which such roads shall be located, improved and maintained, enacted by the Legislature of Alabama, approved September 10th, 1915.

Was read a third time at length and passed.

Yeas, 20; Nays, 0.

Yeas:

Messrs:

Acker	Brown	Espy	McDowell
Baker	Caffey	Evins	Phillips
Beale	Carlton	Gunter	Rogers (Lauderdale)
Bedsole	Carmichael	Huddleston	Sims
Briscoe	Craft	Miller	Smith (Lawrence)

—20

Nays:—None.

The bill:

H. 776. To limit the number of days for which members of the court of county commissioners of Crenshaw county may be paid for services as members of said court, for mileage in going to and from said court, for their services rendered in the discharge of their duties in letting out, inspecting, and accepting, building or repairing of any county bridges of county buildings or works, and mileage necessarily traveled by them in so doing, during any one year, or part of a year; to say when this act shall go into effect; and to repeal all laws and parts of laws in conflict with the provisions of this act in so far as Crenshaw county is concerned.

Was read a third time at length and passed.

Yeas, 20; Nays, 0.

Yeas:

Messrs:

Acker	Caffey	Evins	Phillips
Baker	Carlton	Harper	Rogers (Lauderdale)
Beale	Carmichael	Kelly	Sims
Briscoe	Craft	Miller	Smith (Lawrence)
Butler	Ellis	McDowell	West

—20

Nays:—None.

The bill:

H. 1033. To require the superintendent, manager, intern, or other person in control or in charge of hospitals, and physicians, treating injured persons, to report, to the chief of police and sheriff, any and all injured persons coming into such hospital, in

counties having a population of two hundred thousand or more, according to the last Federal census or any future Federal census and to fix penalties for the violation thereof.

Was read a third time at length and passed.

Yeas, 20; Nays, 0.

Yeas:

Messrs:

Acker	Caffey	Evins	Prestwood
Beale	Carlton	Harper	Rogers (Sumter)
Briscoe	Carmichael	Kelly	Smith (Coosa)
Brown	Cowan	Miller	Tally
Butler	Ellis	McDowell	West

—20

Nays:—None.

The bill:

H. 1131. To fix the salaries of the chairman and two associate members of the State tax commission, and to prescribe the manner of payment of same.

Was read a third time at length and passed.

Yeas, 22; Nays, 1.

Yeas:

Messrs:

Bedsole	Carmichael	Gunter	Phillips
Briscoe	Cowan	Harper	Rogers (Lauderdale)
Brown	Craft	Kelly	Sims
Butler	Ellis	Miller	Smith (Lawrence)
Caffey	Espy	Morris	West
Carlton	Evins		

—22

Nays:

Mr. Smith of Coosa—1.

The bill:

H. 905. To provide that in all counties having a population of not less than 22,750 and not more than 23,000, according to the last preceding Federal census, or any subsequent census, the informer shall receive one-half of the fine in all cases of conviction for violation of the prohibition law and to provide for the payment of same in such counties.

Was read a third time at length and passed.

Yeas, 20; Nays, 0.

Yeas:

Messrs:

Beale	Cowan	Harper	Prestwood
Brown	Craft	Kelly	Rogers (Sumter)
Caffey	Ellis	Miller	Smith (Coosa)
Carlton	Evins	Morris	Tally
Carmichael	Gunter	Nance	West

—20

Nays:—None.

The bill:

H. 128. To amend chapter 230 of the Code of Alabama, of 1907, relating to hotels and innkeepers; and to include therein regulation of cafes, restaurants and eating places.

Was read a third time at length and passed.

Yeas, 23; Nays, 1.

Yeas:

Messrs:

Acker	Carmichael	Huddleston	Rogers (Sumter)
Beale	Cowan	Kelly	Smith (Coosa)
Bedsole	Craft	Moore	Smith (Lawrence)
Brown	Ellis	Morris	Tally
Butler	Gunter	McDowell	West
Caffey	Harper	Rogers (Lauderdale)	

—23

Nays:—None.

The bill:

H. 860. To create the office of county solicitor in all counties having a population of not less than eighteen thousand one hundred and twenty-five and not more than eighteen thousand nine hundred according to the Federal census of 1910, and to provide for the election of such solicitor by the qualified electors of such counties and prescribe his qualifications and duties and fix his compensation.

Was taken up.

Mr. Kelly offered the following amendment to said bill:

Amend caption of bill by inserting after words: "Federal census of 1910" the words: "or any subsequent Federal census."

Amend bill by inserting after words: "Federal census of 1910" the words: "or any subsequent Federal census."

Which was adopted.

Yeas, 20; Nays, 0.

Yeas:

Messrs:

Baker	Carlton	Huddleston	Prestwood
Beale	Cowan	Kelly	Rogers (Sumter)
Bedsole	Craft	Moore	Smith (Coosa)
Briscoe	Espy	McDowell	Tally
Brown	Gunter	Phillips	West

—20

Nays:—None.

And said bill, as thus amended, was read a third time at length and passed.

Yeas, 23; Nays, 1.

*Yeas:***Messrs:**

Acker	Carmichael	Harper	Rogers (Lauderdale)
Beale	Craft	Kelly	Smith (Coosa)
Bedsole	Ellis	Moore	Smith (Lawrence)
Butler	Espy	Morris	Tally
Caffey	Evins	McDowell	West
Carlton	Gunter	Phillips	

—23

Nays:

Mr. Huddleston—1.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has concurred in and adopted the report of the Conference Committee on the disagreement of the two houses on the Senate amendments to the bill:

H. 555. To divide the State into judicial circuits for the circuit court, to be numbered and composd of the counties named.

By a majority of the whole number elected to the House, Yeas 59; Nays, 14, said conference report being in words and figures as follows:

To the Legislature of Alabama:

We, your Conference Committee on the disagreement between the two houses on House bill 555, to divide the State into judicial circuits for the circuit courts, respectfully report:

We recommend that the House concur in the Senate amendments.

W. P. Acker,
A. H. Carmichael,
Committee on the part of the Senate.
F. W. Hare,
S. A. Lynne,
Committee on the part of the House.

And sends said bill together with the conference report to the Senate for its consideration.

Fred H. Gormley,
Clerk.

HOUSE MESSAGE.

On motion of Mr. Acker, the Senate concurred in and adopted the report of the Committee of Conference on the disagreement of the two houses on the Senate amendments to the bill, House bill No. 555, the title of which is set out in the foregoing message from the House and said conference report being also set out in the foregoing message from the House.

Yeas, 22; Nays, 1.

Yeas:

Messrs:

Acker	Carlton	Harper	Rogers (Sumter)
Beale	Carmichael	Miller	Sims
Bedsole	Cowan	Morris	Smith (Coosa)
Brown	Craft	McDowell	Smith (Lawrence)
Butler	Ellis	Rogers (Lauderdale)	Tally
Caffey	Gunter		

—22

Nays:

Mr. Prestwood—1.

By a majority vote of the Senators elected.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has passed the following Senate bills:

S. 306. To define optometry; to provide for the regulation thereof; to provide for the examination of applicants to practice optometry in Alabama; to provide for the issuing of licenses and certificates and the registration and display thereof; to provide for reports by probate judges of said registrations; to provide for the revoking or refusing to issue said licenses and certificates; to provide for a State board of optometry; to provide for the appointment of members thereof, and prescribe their duties, powers, qualifications, terms of office and compensation; to provide for the disposition of fees collected by said board; to provide fees and funds for enforcing said act; to provide for enforcing said act; to allow the board to enter into reciprocity agreements with like boards of other states; to provide penalties and punishment for violations of the provisions of said act; and to repeal all general and local laws in conflict with said act."

Also:

S. 453. To authorize the extension of the corporate existence of banking corporations organized under or chartered by any special act of the Legislature and to provide the method of making such extension.

Also:

S. 371. To amend section 2 of an act "To provide for the creation of the office of State prison inspector; to prescribe the duties and powers of such office; to provide for the necessary assistants to said inspector; to fix the compensation of such inspector and his assistants; to provide for the construction, the regulation, the management, the maintenance, the operation, the healthfulness, and the sanitation of all county jails, almshouses, and such town and city prisons as are in towns or cities of ten thousand or more population according to the last Federal census,

under the supervision of said inspector, and to prescribe the duties of the various public officials with respect thereto, and to provide punishment for violations of this act," approved April 8, 1911 (General Acts 1911, p. 356.)

Also:

S. 572. To create a commission with authority and powers to act for and on behalf of the State of Alabama in acquiring by purchase or condemnation the building in the city of Montgomery, Alabama, commonly known and designated as the "First White House of the Confederacy," and also the land whereon said building rests or such other land as said commission may deem advisable, and to make appropriation for such purpose and for the maintenance and repair of such property.

Also:

S. 553. To provide for a clerk to the tax assessor in counties having more than 37,000 population and less than 37,400 population, according to the 1910 Federal census, to prescribe the duties of such clerks and provide for their appointment and compensation.

And returns same to the Senate.

Fred H. Gormley,
Clerk.

MESSAGE FROM THE GOVERNOR.

Gentlemen of the Senate:

I herewith return S. 470, without my approval, but with amendments as follows, which if adopted will meet my objections:

Amend section 1 of article 1 by striking out subdivision (8) of said section and inserting in lieu thereof the following:

(8) A further sum or sums to be appropriated by the Legislature for each scholastic year.

Amend section 20 of article 5 by striking out of said section the following:

"But it shall be unlawful for any school officer or teacher to exclude from school any pupil who is qualified to take any course of study which the teacher is qualified to teach, when the pupil lives more than three miles from a high school or junior school, unless conveyance is provided at public expense for the transportation of said child, and until the county board of education in any county shall have established a system of junior high schools within the reach of all the children of the county or has provided transportation at public expense for the children who shall attend such schools, every one-teacher school must teach at least seven grades; every two-teacher school at least eight grades, and every school having three or more teachers shall teach at least nine grades."

Amend article 7 by striking out sections 3 and 5 and inserting in lieu thereof the following:

Section 3. The board of school trustees shall have the power by unanimous vote to refuse to accept the original assignment of any teacher not later than thirty (30) days before the time set for the opening of the

school upon written notification to the county superintendent of education setting out the reason for such refusal, and it is hereby made the duty of the county superintendent of education to nominate another teacher for such school.

Section 5. The board of school trustees shall have the power with the approval of the county board of education to fix a reasonable incidental fee to be paid by each pupil entering the school.

Amend article 10 by striking out section 12 and inserting in lieu thereof the following:

The annual appropriation as a contingent fund for the State department of education shall be used for such purposes as in the opinion of the State superintendent of education the needs of the office and the best interests of the schools of the State may require. Whenever it shall become necessary to draw on such fund the State superintendent shall make requisition on the State auditor for the amount required who shall issue his warrant upon the State treasurer for such amount.

Amend section 2 of article 8 by striking out the following:

"Provided, that in any city having a population of more than one hundred and twenty-five thousand inhabitants according to the last, or any succeeding Federal census, said board of education shall consist of five members, who shall be elected by the qualified electors of such city in the manner following: At the next general election of State and county officers in November, 1920, five members of said board shall be elected. The two members receiving the highest number of votes at said election shall hold office for the term of six years; the two members receiving the next highest number of votes shall hold office for the term of four years, and the member receiving the lowest number of votes shall hold office for the term of two years, and biennially thereafter, at each general election a member or members of said city board of education shall be elected, by the qualified electors of said city, whose term of office shall be six years.

Amend section 6 of article 10 by striking out at the end of said section the following:

"The right of appeal from the action of the county board of education in the apportionment of school funds in accordance with this section shall lie to the State board of education, such appeal to be made in accordance with the rules and regulations formulated by the State board of education.

Amend section 1 of article 15 by adding at the end of said section the following:

"Unless otherwise ordered by the county or city board of education, as the case may be, with the approval of the State board of education."

Amend article 15 by adding at the end of section 15 of said article the following:

"Unless otherwise ordered by the county or city board of education concerned."

Amend article 45 by adding section 4 as follows:

Section 4. Be it further enacted that nothing herein contained shall be construed so as to make any appropriation for the purposes set forth in this act, all reference to appropriations and expenditures being intended to refer and be subject to appropriations otherwise authorize or provided by or under the Constitution and laws of the State, including specific appropriations for carrying out the provisions and purposes of this act by the present Legislature.

Respectfully,
Thos. E. Kilby,
Governor.

GOVERNOR'S MESSAGE.

On motion of Mr. Carmichael, the Senate concurred in and adopted the amendments proposed by his excellency, the governor, to the bill:

S. 470. To provide a complete educational system for the State of Alabama; to provide a public school fund; to provide for the administration of the public schools and create a State board of education and prescribe its powers and duties; to create county and city boards of education, to define their respective powers and duties, to provide for the payment of their necessary expenses and equipment, including furniture; to provide for the holding of elections for the one mill county tax on each dollar of taxable property under the Constitution of 1901; to provide for the holding of elections for the county tax of three mills or less on each dollar of taxable property under the amendment to the Constitution of 1901; to provide for the holding of elections for the district tax of three mills or less on each dollar of taxable property, and to prescribe the method of holding such elections; to prescribe the duties and powers of the State superintendent of education and to fix his compensation; to provide for the organization of the State department of education; to provide for the appointment of county superintendents of education, to define their duties and powers and to provide for their compensation; to provide for boards of school trustees; to provide for the appointment of city superintendents of education, to define their duties and powers, and to provide for their compensation; to provide for supervisors of schools in the various counties and cities, to fix their duties and powers, and provide for their compensation; to provide for the use of a bonus fund for counties levying and collecting a special county tax for school purposes, and to fix the amount in accordance with the rate of such special tax; to provide for a county treasurer of school funds; to provide for compulsory attendance upon the schools of the State within certain ages, to fix penalties, to provide for the appointment of attendance officers and to define their duties and fix their compensation and to provide the method of enforcing compulsory attendance within the ages prescribed; to provide for the certification of teachers, and to provide for the use of appropriations for the issuance of certificates and for the conduct of teachers' institutes, for the training of teachers in service, and provide the necessary clerical and other assistants; to provide financial assistance for the erection, repair and equipment of rural school-houses, and to prescribe the conditions under which such assistance may be obtained; to provide for the sale and conveyance

of certain lands that have been conveyed to the State for school purposes; to provide for rural libraries throughout the State, including the method by which assistance may be obtained; to provide for vocational education and for the use of appropriations therefor; to provide for the removal of illiteracy among adults as well as among minors, and for the use of appropriations therefor; to provide uniform textbooks throughout the State and to authorize the creation of a State textbook committee and to define its powers and duties; to provide for county high schools and prescribe the conditions under which such county high schools may obtain assistance from the State, and to authorize such county high schools to receive financial assistance from county boards of revenue, boards of education, school districts or private sources; to provide for county high school treasurer, to fix their bonds and prescribe their powers and duties and to provide for the payment of the premiums upon their bonds; to provide for county treasurers of school funds, to fix their bonds and prescribe their powers and duties and to provide for the payment of the premiums upon their bonds; to provide for changing the name of the nine branch agricultural schools and experiment stations, or district agricultural schools, and of the Northeast Alabama Agricultural and Industrial Institute to State secondary agricultural schools, to provide for their management and control and for their continuance upon the meeting of certain requirements and for the use of appropriations therefor; to provide for certain State normal schools and for their control and management and for the use of appropriations therefor; to provide for the creation of the Alabama School of Trades and Industry and for its control and management; to provide for changing the name of the Agricultural and Mechanical College for Negroes to Agricultural and Mechanical Institute for Negroes, and to provide for its management and control and for the use of appropriations therefor; to provide for changing the name of the school heretofore established at Montevallo as the Alabama Girls' Industrial School, later called the Alabama Girls' Technical Institute, to the name of the Alabama Technical Institute and College for Women; to create a board of trustees for such institute, to prescribe their powers and duties, their method of appointment, and length of service, and for the use of appropriations therefor; to provide for the management and control of the Alabama Polytechnic Institute, to define the powers and duties of the board of trustees, the method of appointment of such trustees, and for the use of appropriations to said institute; to provide for the management and control of the University of Alabama, to define the duties and powers of the trustees, the method of appointment of such trus-

tees, and for the use of appropriations to the University; to provide for a summer school at the University of Alabama and for the use of appropriations therefor; to create a State council of education and to prescribe its powers and duties; to provide for the management and control of the Alabama Institute for the Deaf; of the Alabama Academy for the Blind, and of the Alabama School for Negro Deaf and Blind, to create a board of trustees therefor and to provide for the method of their appointment and the length of service and for the use of appropriations therefor; to provide for the establishment and maintenance of the Alabama boys' industrial School, to provide for the management and control thereof, and for the appointment of a board of directors, to define their powers and duties and the method of committing boys thereto, and for the use of appropriations therefor; to provide for the maintenance and establishment of the Alabama School for Juvenile Negro Lawbreakers; to provide for the management and control thereof, and for the appointment of a board of directors, to define their powers and duties, and for the method of committing boys thereto, and for the use of appropriations for such school; to provide for the lease and sale of school lands in the State; to make certain requirements with reference to the bonds of officials and employees authorized under the provisions of this act; to require county and city boards of education to give regular instruction in all schools under their direction as to the nature of alcoholic drinks, tobacco and other narcotics; to require private, denominational and parochial schools to make reports; to provide penalties for the violation of the provisions of this act and to provide for the repeal of inconsistent laws enacted hereafter.

Yeas, 25; Nays, 0.

Yeas:

Messrs:

Acker	Cowan	Huddleston	Rogers (Sumter)
Beale	Ellis	Kelly	Sims
Bedsole	Espy	Miller	Smith (Coosa)
Brown	Evins	Moore	Smith (Lawrence)
Butler	Gunter	McDowell	Tally
Caffey	Harper	Phillips	West
Carmichael			

—25

Nays:—None.

Which was a majority of the whole number elected to the Senate.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has concurred in and adopted the conference report on the disagreement of the two houses on the Senate amendment to the bill:

H. 401. To create a State highway department; to define its powers and duties; to authorize State aid in the construction and maintenance of public roads and bridges; to create a State highway fund and to provide for its expenditure; to impose certain duties upon county and municipal officials and to provide a penalty for their failure to discharge same; to authorize the State highway department to work State convicts upon public roads and bridges as is now or may hereafter be provided by law; to assent to the act of Congress approved July 11, 1916, known as the "Federal aid law" and to authorize the State highway department to co-operate with the United States government in the construction and maintenance of rural post roads; and to repeal the act approved April 5, 1911, entitled "An act to provide for the creation of a State highway commission, defining its powers, duties and compensations, and methods to be adopted for control of same and for appropriation and maintenance of the same and to give State aid and State supervision over all public roads, culverts and bridges of the State for construction of a permanent nature and the maintenance thereof wherein any portion of the appropriation hereinafter made shall be used for such purpose; and to make an appropriation therefor out of the net revenue of the convict fund of the State and from other sources.

Said conference report being as follows:

To the Presiding Officer of the Senate:

To the Speaker of the House:

Your Committee of Conference having under consideration House bill No. 401:

H. 401. A bill to be entitled an act to create a State highway department; to define its powers and duties; to authorize State aid in the construction and maintenance of public roads and bridges; to create a State highway fund and to provide for its expenditure; to impose certain duties upon county and municipal officials and to provide a penalty for their failure to discharge same; to authorize the State highway department to work State convicts upon public roads and bridges as is now or may hereafter be provided by law; to assent to the Act of Congress approved July 11, 1916, known as the "Federal Aid Law" and to authorize the State highway department to co-operate with the

United States government in the construction and maintenance of rural post roads; and to repeal the act approved April 5, 1911, entitled, "An act to provide for the creation of a State highway commission, defining its powers, duties and compensations, and methods to be adopted for control of same and for appropriation and maintenance of the same and to give State aid and State supervision over all public roads, culverts and bridges of the State for construction of a permanent nature and the maintenance thereof wherein any portion of the appropriation hereinafter made shall be used for such purpose; and to make an appropriation therefor out of the net revenue of the convict fund of the State and from other sources.

Beg leave to report as follows:

1st. We recommend that the Senate recede from all amendments.

2nd. We further recommend that the Senate amend the bill so as to read as follows, to-wit:

A bill to be entitled an act to create a State highway department; to define its powers and duties; to authorize State aid in the construction and maintenance of public roads and bridges; to create a State highway fund and to provide for its expenditure; to impose certain duties upon county and municipal officials and to provide a penalty for their failure to discharge same; to authorize the State highway department to work State convicts upon public roads and bridges as is now or may hereafter be provided by law; to assent to the act of Congress approved July 11, 1916, known as the "Federal Aid Law" and to authorize the State highway department to co-operate with the United States government in the construction and maintenance of rural post roads; and to repeal the act approved April 5, 1911, entitled, "An act to provide for the creation of a State highway commission defining its powers, duties and compensations, and methods to be adopted for control of same and for appropriation and maintenance of the same and to give State aid and State supervision over all public roads, culverts and bridges of the State for construction of a permanent nature and the maintenance thereof wherein any portion of the appropriation hereinafter made shall be used for such purpose; and to make an appropriation therefor out of the net revenue of the convict fund of the State and from other sources.

Be it enacted by the Legislature of Alabama:

Section 1. That there is hereby created a State highway department for the State of Alabama, which shall consist of a State highway commission and a State highway engineer. The said State highway commission shall consist of the senior profes-

sor of civil engineering in the Alabama Polytechnic Institute, the State geologist and ten (10) other members to be appointed by the governor. No two of the other ten members of said State highway commission shall reside in the same congressional district, and each of said ten members shall be a qualified elector. Four of the first appointed members shall serve for two years from October 1, 1919, three of said members shall serve for a term of four years from said date, and three of said members for a term of six years from said date, after which the term of each appointed member shall be four years. For the transaction of business of the State highway department three of the members of the State highway commission shall constitute a quorum. Notice of all meetings of the commission shall be given by the Secretary in such manner and under such rules and regulations as may be prescribed by the highway commission. All vacancies in the appointive membership of such commission shall be filled by appointment of the governor for the unexpired term. The governor may remove any member for inefficiency, malfeasance or neglect of duty. The members of said commission shall serve without compensation, but they shall each be allowed traveling and other expenses incurred in the discharge of their official duties.

Section 2. The State highway commission shall consider and determine all questions relating to the general policy of the State highway department and the conduct of its work. It shall receive and consider the reports of the State highway engineer and act for the State highway department in all matters which have not been especially delegated by law to the State highway engineer. On or before the 1st day of April in each year, it shall be the duty of the commission to submit a printed report to the governor stating as near as possible the number of miles of road built or improved and also the culverts and bridges constructed during the preceding year, the cost and general character of same and the location of materials suitable for road construction, and said report shall also show where said roads, culverts and bridges have been constructed. Said commission shall recommend such legislation as it deems advisable and furnish any other information concerning road and bridge improvement as may be deemed expedient.

Section 3. The State highway commission shall elect from its membership a chairman; it shall have a seal and the members thereof shall have the power to administer oaths. The State highway department shall be provided with a suitable office at the capitol and at such other places as the demands on the department may require, which shall be under the charge of the State

highway engineer and same shall be kept open at such times as the business of said department and the convenience and interests of the public shall require. Said offices shall be conveniently and properly furnished at the expense of the State and shall be the repository for all records of the State highway department. The State highway commission shall hold meetings at such times and places as it may deem essential for the proper carrying out of the provisions of this act. Provided, that nothing in this section contained shall interfere or conflict with the jurisdiction, authority and duties of the governor, State budget commission, or the State board of control and economy.

Section 4. The State highway commission shall elect a State highway engineer who shall be a competent civil engineer, having had not less than six years responsible engineering experience, of which not less than three years must have been in responsible highway engineering. Said State highway engineer shall hold office subject to the pleasure of the commission and his salary, not to exceed \$6,000.00 per annum, shall be fixed by the commission and be payable monthly. He shall also be allowed his actual and necessary traveling and other necessary expenses as provided by law while engaged in the performance of his official duties and shall give his whole time to the duties of his office. He shall take the constitutional oath of office and execute a bond to the State in such penal sum as may be prescribed by the governor in a guaranty company doing business in Alabama, to be approved by the governor, conditioned upon the faithful performance of his official duties. The premium of said bond shall be paid by the State highway department. He shall keep a record of every act of the State highway commission and, with the consent of the commission, subject to the approval of the governor, he may employ such assistant engineers, chemists, clerks, stenographers, draftsmen, foremen and laborers as may be necessary for the proper carrying on of the work of the State highway department, and fix their compensation, which shall be paid out of the State highway fund. It shall be the duty of the State highway engineer to give such advice and assistance to county and municipal officials with regard to the construction and maintenance of roads and bridges in the State as his time and other duties will permit, and as the rules and regulations of the commission may prescribe. He and his assistants may be required to attend public meetings held in or out of the State in the interest of improved road and bridge construction and maintenance. The State highway commission shall be and it is hereby made subject to the provisions of the act establishing the State budget commission, approved February 11, 1919, and none of the provi-

sions of this act are to be construed as conflicting with or altering, impairing, or repealing any provision of said act.

Section 5. Motor vehicles used by the State highway department, its officials and engineers shall not be subject to any State, county or municipal license. The attorney general of the State shall be ex-officio attorney for the State highway department and shall give said department such legal counsel as it may require. He shall receive his necessary traveling expenses, as provided by law, when in the performance of his duties as ex-officio attorney for said department.

Section 6. The State highway engineer shall keep on file in his office copies of all plans and specifications prepared by the State highway department, and the files and records of said department shall, under reasonable regulations, be kept open for inspection by the public at all times. Certified copies thereof shall be received in evidence in all courts of this State.

Section 7. The State highway engineer shall cause to be made and kept in his office a general highway map of the State which shall show all State trunk roads; he shall collect information and prepare statistics relative to the mileage, character and condition of the roads and bridges in all counties of the State. He shall investigate and determine the methods of road construction best adapted to the various sections of the State and shall establish standards for the maintenance of roads and bridges which have been constructed with State aid. He may at all reasonable times be consulted by county and municipal officials relative to any question involving the construction of roads and bridges, and he may call on all county and municipal officials for any information or assistance he may require, and it shall be their duty to supply same. Any county or municipal official who fails to supply such information, shall be guilty of a misdemeanor and upon conviction be fined not less than \$10.00 nor more than \$100.00. The State highway engineer shall determine the character and have general supervision over the construction and maintenance of all public roads and bridges in the State. He shall report all of the proceedings of his office to the State highway commission at such times as it may designate.

Section 8. There is hereby appropriated to the State highway department for its use the entire net revenue derived by the State from the sale of motor vehicle licenses. Said sums herein appropriated, when received by the State treasurer, shall be set aside in a special fund known as the State highway fund and be used for no other purpose than the carrying out of the provisions of this act. Said State highway fund shall be paid out of the treasury on the State auditor's warrant drawn upon presentation

to him of the certificate of the State highway commission signed by the State highway engineer and approved by the governor; provided, that in the event that the State shall issue and sell bonds for the construction of public roads the appropriation herein made shall be used for the payment of interest on said bonds and maintenance of roads and provide a sinking fund.

Section 8½. When any county in the State, shall appropriate any sum of money to match a like sum of money given by the Federal government, through the State highway department for the construction of a Federal aid project, provided work on such project begins after the passage of this act, the said county shall be refunded an amount equal to the amount expended by the county on the project, by the State highway commission from any funds that may be derived from the sale of State road bonds. Such payment shall be made on certificate to the State auditor by the State highway engineer, approved by the chairman of the State highway commission, to the effect that such county is entitled to such fund. Provided, however, that nothing in this section shall authorize expenditure in any county of more than its equitable portion of said funds.

Section 9. The State highway commission shall adopt such rules and regulations for the construction and maintenance of the public roads and bridges in Alabama as it shall deem proper. Same shall be printed and furnished to all local road officials in the State.

Section 10. No member of the State highway commission, the State highway engineer or any other person in the employ of the State highway department shall be, either directly or indirectly, interested in any contract for the construction or maintenance of any road or bridges in the State, or in the sale of any machinery, material or anything whatever entering into the construction, maintenance or repair of said roads and bridges, and any person violating the provisions of this section shall be guilty of a misdemeanor and upon conviction thereof shall be fined not less than \$200.00 nor more than \$500.00, and may also be sentenced to hard labor for not more than one year.

Section 11. The State highway commission, subject to the approval of the governor, and subject to the provisions of the State budget commission act, shall reserve out of the State highway fund sufficient sum annually, based upon estimates furnished by the State highway engineer, to support the State highway department. The balance shall be used in the construction and maintenance of State trunk roads and bridges on State trunk roads, as provided in this act. Before making any appropriations to counties of State aid, the State highway commission shall

first set aside out of the State highway fund a sum, in its opinion, sufficient to secure the Federal fund apportioned to the State, so that the State will not lose the benefit of the appropriation of Federal aid. Whenever the court of county commissioners, board of revenue or other like governing body of a county shall desire that a State trunk road or bridge on a State trunk road in said county be constructed or maintained with State aid, written application shall be made by said body to the State highway commission, under such rules and regulations as said commission may prescribe. Such application shall be considered by the commission and if approved by it, the State highway engineer or one of his assistants, shall view said road or bridge and cause to be made surveys, plans, specifications and estimates of the cost of its construction or maintenance, and the State highway commission shall thereupon appropriate out of the State highway fund such part of the estimated cost of said work as it may deem proper, and the State highway department shall proceed to do said work. If it deems best, the commission may condition said appropriation upon the appropriation by the county for said work of an amount fixed by the commission, which shall be paid into the State treasury to the credit of the State highway fund before the work begins. Whenever a county fails to make application for the construction or maintenance of a road or bridge, or the commission deems it best for such work to be done, it may proceed to construct or maintain any part of a State trunk road or bridge upon a State trunk road and pay part or all of the cost of said work out of the State highway fund.

Section 12. The State highway engineer shall furnish a competent engineer when needed during the progress of road or bridge construction or maintenance in any county under the provisions of this act, who shall supervise said work and see that the plans and specifications are complied with. Whenever it is proposed to do said work by contract and the estimated cost of same exceeds \$5,000.00, the State highway engineer shall advertise for bids at least thirty days in advance of the award of the contract in a newspaper published in the city of Montgomery, and in a newspaper published in the county where the work is to be done, and he shall receive bids for all or a part of said work and let the contract to the lowest responsible bidder, subject to the approval of the State highway commission. He shall reserve the right, however, to reject any and all bids and call for new bids or perform the work or a part of said work by day labor or convict labor as he may deem best for the interest of the State and county. When any work is done by contract the State highway commission shall require a bond of the contract for the

faithful performance of the work. Said bond shall be payable to the State of Alabama and shall be approved by the State highway commission, and it shall be in the amount of the contract price. The State highway engineer may authorize partial payments to a contractor performing any road or bridge work as the same progresses. The progress estimates and payments shall be based upon materials in place and labor expended upon the work, but not more than eighty-five per cent (85%) of the contract price of the work shall be paid in advance of the full completion and acceptance of same. At least 15% of the full contract price of any such work shall be withheld until the work is satisfactorily completed and accepted by the State highway engineer.

Section 13. Every contract for road or bridge construction or maintenance under the provisions of this act shall be made in the name of the State of Alabama and signed by the State highway engineer.

Section 14. The rights of way deemed necessary by the State highway department for a road constructed under the provisions of this act shall be acquired by the county in which such road is located without expense to the State. Should the county fail or refuse to acquire the necessary right of way, the State, through the State highway commission, shall have authority to acquire such rights of way either by purchase or by the exercise of the right of eminent domain.

Section 15. On or before the first day of February in each year the presiding officer of every court of county commissioners, board of revenue or like governing body in this State, shall certify to the State highway department the amount of money expended for all purposes in road and bridge construction and maintenance in this county during the preceding year and also furnish a statement of the estimated amounts of funds that will be available in said county for road and bridge construction and maintenance during the current year.

Section 16. No road constructed or maintained under the provisions of this act shall be dug up or used for lying pipe lines, pole lines, sewers, railways or for other similar purposes, without the written permit of the proper road authorities of the county in which the road is located, approved by the State highway engineer and then such work shall be done only in accordance with the regulations prescribed by the said engineer, and the cost of replacing the road in as good condition as it was before said work was done shall be paid by the person to whom or in whose behalf such permit was given. Such person shall furnish the State with a cash deposit or certified check upon a solvent bank

in an amount required by the State highway engineer, conditioned that same is to be forfeited to the State in the event said road is not placed in as good condition as it was prior to said work being done, within fifteen days from the time said work is completed.

Section 17. The State highway department, subject to the control, authority and supervision of the State board of control and economy, is authorized to rent such offices and buildings as may be necessary, to purchase all live stock, machinery, tools and other equipment that it may deem necessary for use upon roads and bridges constructed or maintained under the provisions of this act, and pay for same out of the State highway fund. It shall also pay out of said fund the necessary expenses of said department of every description, including traveling expenses of the officials and engineers, foremen and clerks while in the actual performance of their duties; and also the cost of all supplies for said department and the maintenance of live stock and machinery. All purchases shall be made through the State board of control and economy as provided by law.

Section 18. The State highway commission may make such changes or additions to the system of State trunk roads as it may deem proper and construct or maintain the same with State aid under the provisions of this act.

Section 19. That the State highway department shall work State convicts in the construction and maintenance of public roads and bridges of Alabama as may now or hereafter be provided by law.

Section 20. That the Legislature of the State of Alabama hereby assents to the provisions of the act of Congress approved July 11, 1916, known as the "Federal Aid Law," entitled, "An act to provide that the United States shall aid the states in the construction of rural post roads and for other purposes." The State highway department is hereby authorized to enter into all contracts and agreements with the United States government relating to the construction and maintenance of rural post roads under the provisions of the said act of Congress, to submit such scheme or program of construction and maintenance as may be required by the secretary of agriculture and to do all other things necessary to fully carry out the co-operation contemplated and provided for by said act. The good faith of the State of Alabama is hereby pledged to make available funds sufficient to equal the sum apportioned by the State by or under the United States government and to maintain the roads constructed under the provisions of said act, and to make adequate provisions for caring for such maintenance.

Section 21. The State highway department is authorized to make all such rules and regulations as may be necessary to carry out the provisions of this act.

Section 22. The act approved April 5, 1911, entitled, "An act to provide for the creation of a State highway commission, defining its powers, duties and compensations, and methods to be adopted for control of same and for appropriation and maintenance of the same and to give State aid and State supervision over all public roads, culverts and bridges of the State for construction of a permanent nature and the maintenance thereof wherein any portion of the appropriation hereinafter made shall be used for such purpose; and to make an appropriation therefor out of the net revenue of the convict fund of the State and from other sources," is hereby repealed.

Section 23. That the State highway commission or highway department shall locate, construct and maintain, the highways or State trunk roads so as to connect each county seat with the county seats of the adjoining counties by the most direct and most feasible route by a permanent road having due regard to the public welfare and to connect the county seats of the several border counties at or near the State line with a public road in the border states. Provided that in counties divided into two judicial divisions in each of which regular terms of the circuit court are held, the places where said terms of court are held, shall be connected with each other.

Section 24. It shall be the duty of said State highway commission or highway department to equitably apportion among the several counties the expenditures of both money and labor and the time or times of making such investments; said roads to be constructed and maintained without expense to the several counties.

Section 25. This act shall take effect October 1st, 1919.

Section 26. All laws or parts of laws, local or general, inconsistent or in conflict with the provisions of this act are hereby repealed.

Section 27. That if any section or provision of this act shall be held to be void or unconstitutional, it shall not affect or destroy the validity or constitutionality of any other section or provision which is not in and of itself void and unconstitutional.

3rd. We further recommend that the House concur in said Senate amendment.

Respectfully submitted,

Jno. Rogers,
John B. Tally,
R. B. Evins,

Committee on part of Senate.

W. J. Dansby,
J. C. Arnold,
O. L. Tompkins,
A. M. Tunstall,
Thos. E. Orr,

Committee on part of House.

And sends same herewith to the Senate for their consideration.

Fred H. Gormley,
Clerk.

HOUSE MESSAGE.

On motion of Mr. Rogers of Sumter, the Senate concurred in and adopted the report of the Committee of Conference on the disagreement of the two houses on the Senate amendment to House bill No. 401, the title of which is set out in the foregoing message from the House, and said report of the Conference Committee being also set out in the foregoing message from the House.

Yeas, 25; Nays, 0.

Yeas:

Messrs:

Acker	Carmichael	Huddleston	Rogers (Lauderdale)
Beale	Cowan	Miller	Rogers (Sumter)
Bedsole	Craft	Moore	Smith (Coosa)
Brown	Ellis	Morris	Smith (Lawrence)
Butler	Evins	McDowell	Tally
Caffey	Harper	Phillips	West
Carlton			

—25

Nays:—None.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has amended as therein shown and as amended has passed:

S. 530. To make an appropriation for the relief of John W. Abercrombie.

And returns same herewith to the Senate.

Fred H. Gormley,
Clerk.

HOUSE MESSAGE.

On motion of Mr. Acker the Senate nonconcurred in the following amendment by the House to Senate bill No. 530, the title of which is set out in the foregoing message from the House, to-wit:

Amend by striking out the words and figures which provide for the payment of interest on the claim.

And requests a committee of conference, and the President of the Senate appointed as conferees on part of the Senate, Messrs. Acker, Ellis and Kelly.

THIRD READINGS RESUMED.

The bill:

H. 452. Authorizing a bank to pay the deposit of a deceased depositor to the widow, or husband, or heirs of the deceased, where the deposit does not exceed one thousand (\$1,000.00) dollars, after the lapse of sixty (60) days from the death of the deceased.

Was taken up.

Mr. Tally offered the following amendment to said bill:

Amend the bill by striking out the words: "or husband" after the words: "to the widow" in section 1.

Which was adopted.

Yeas, 23; Nays, 1.

Yeas:

Messrs:

Beale	Cowan	Huddleston	Prestwood
Brown	Ellis	Kelly	Rogers (Sumter)
Butler	Espy	Miller	Smith (Coosa)
Caffey	Evins	Moore	Tally
Carlton	Gunter	Morris	West
Carmichael	Harper	Phillips	

—23

Nays:

Mr. Bedsole—1.

And said bill, as thus amended, was read a third time at length and passed.

Yeas, 24; Nays, 0.

Yeas:

Messrs:

Acker	Carlton	Harper	Prestwood
Beale	Carmichael	Huddleston	Rogers (Sumter)
Bedsole	Cowan	Miller	Smith (Coosa)
Brown	Ellis	Moore	Smith (Lawrence)
Butler	Espy	McDowell	Tally
Caffey	Evins	Phillips	West

—24

Nays:—None.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has passed the following Senate bill:

S. 528. To authorize the governor to provide a suitable site for the establishment of a sanatorium for the use of the Alabama Sanatorium for Consumption and Tuberculosis conditioned upon the sale of the present site for such use located in Cullman county, Alabama, and consisting of about four hundred and sixty (460) acres heretofore acquired under the authority of Section

777 of the Political Code of Alabama; also to authorize the governor to sell and convey the said land heretofore acquired for such site, and out of the proceeds of such sale to purchase a suitable site for such sanatorium; provided that the sanatorium to be so acquired may be located and established, with the governor's approval, on any lands suitable for such purpose, now owned by the State, and if so located and established on such lands now owned by the State, then the proceeds of such sale to be covered into the general funds of the treasury.

And returns same herewith to the Senate.

Fred H. Gormley,
Clerk.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bills:

S. 539. To amend an act entitled "An act to define dentistry; to provide for the regulation of the practice thereof; to provide for the examination of applicants to practice dentistry in Alabama; to provide for the issuing of license certificates and the registration and display thereof; to provide for reports by probate judges of said registrations; to provide for the revoking or refusing to issue said certificates; to provide a board of dental examiners of Alabama, provide for their election and prescribe their duties, powers, qualifications, terms of office and compensation; to provide for the disposition of fees collected by said board; to provide fees and funds for enforcing said act; to provide for enforcing said act; to allow the board of dental examiners of Alabama to enter into reciprocity agreements with like boards of other states; to provide penalties and punishment for the violation of the provisions of said act; to provide for any unconstitutionality of said act, and to repeal all general and local laws in conflict with said act," and approved August 31st, 1915, by amending sections 1 (A), 17 and 18 thereof, and by adding thereto an additional section.

S. 188. To provide for the dissolution of municipal corporations having population of less than 500 inhabitants.

And returns same herewith to the Senate.

Fred H. Gormley,
Clerk.

HOUSE MESSAGE.

On motion of Mr. McDowell, the Senate concurred in the following amendment by the House to Senate bill No. 539, the title

of which is set out in the foregoing message from the House, to-wit:

Amend section 4 of Senate bill 539 by striking out of section 4 the words "and shall have completed at least one year in an accredited high school."

Yeas, 22; Nays, 0.

Yeas:

Messrs:

Acker	Carmichael	Harper	Rogers (Sumter)
Beale	Cowan	Kelly	Sims
Bedsole	Craft	Morris	Smith (Lawrence)
Briscoe	Ellis	McDowell	Tally
Butler	Espy	Phillips	West
Caffey	Gunter		

—22

Nays:—None.

On motion of Mr. Sims, the Senate concurred in the following amendment by the House to Senate bill No. 188, the title of which is set out in the foregoing message from the House, to-wit:

Amend Senate bill 188: Strike out the figures 500 in title and bill and insert 1,100.

Yeas, 22; Nays, 0.

Yeas:

Messrs:

Acker	Carlton	Harper	Rogers (Lauderdale)
Beale	Carmichael	Moore	Sims
Bedsole	Cowan	Morris	Smith (Lawrence)
Briscoe	Craft	McDowell	Tally
Butler	Ellis	Phillips	West
Caffey	Gunter		

—22

Nays:—None.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill:

S. 748. To make appropriations for the ordinary expenses for the executive, legislative and judicial departments of the State, for the interest on the public debt and for the public schools.

And returns said bill to the Senate.

Fred H. Gormley,
Clerk.

HOUSE MESSAGE.

On motion of Mr. Acker, the Senate concurred in and adopted the following amendment by the House, to Senate bill No. 748,

the title of which is set out in the foregoing message from the House, to-wit:

Amend by adding the following: Sec. A. There is hereby appropriated for the maintenance and support of the public schools three hundred and fifty thousand dollars for the fiscal year beginning October 1, 1919, and for each fiscal year thereafter the sum of five hundred thousand dollars.

Amend bill so as to make the amount appropriated for salary of marshal and librarian of supreme court (\$3,000) three thousand dollars per annum.

Amend subdivision fifteen of the same title by striking therefrom three thousand dollars (\$3,000) and inserting in lieu thereof four thousand dollars (\$4,000).

Amend subdivision seventeen of the same title by striking therefrom the words "for every year" and inserting in lieu thereof "per annum until the expiration of the term of the present incumbent."

Amend subdivision fifty-four under the title miscellaneous appropriations by striking therefrom the words "supervisors of assessments" and inserting in lieu thereof "county tax adjusters."

Amend the bill by adding at the end thereof: "(58). For the payment of pensions of Confederate soldiers and sailors and their widows, one million four hundred thousand dollars for every year or so much thereof as may be necessary."

Yeas, 21; Nays, 0.

Yeas:

Messrs:

Acker	Caffey	Harper	Rogers (Sumter)
Beale	Carmichael	Miller	Smith (Coosa)
Bedsole	Cowan	Morris	Smith (Lawrence)
Briscoe	Espy	McDowell	Tally
Brown	Gunter	Phillips	West
Butler			

—21

Nays:—None.

Mr. Acker then moved to reconsider the vote by which the Senate concurred in the House amendments to said bill, S. 748, which motion prevailed and said vote was reconsidered.

Mr. Acker then moved that the Senate nonconcur in the foregoing amendments by the House to said Senate bill No. 748, and request a committee of conference, which motion prevailed, and the President of the Senate appointed as conferees on part of the Senate Messrs. Acker, Butler and Brown.

MESSAGE FROM THE HOUSE.

Mr. President:

The House accedes to the request of the Senate for a committee of conference on the disagreement of the two houses on the House amendments to the bill:

S. 593. To provide and submit to the qualified electors of the State of Alabama at an election to be held on the first Monday after the expiration of three months from and after the final adjournment of the present session of the Legislature at which this amendment is proposed, an amendment to the Constitution of the State of Alabama, whereby the following municipal corporations, Birmingham, Bessemer, Huntsville, Florence, Selma, Mobile, Anniston, Athens, Jacksonville, Auburn, Fairfield, Carbon Hill and LaFayette, in the State of Alabama may levy and collect a rate of taxation on the property situated therein not exceeding in the total in any one year one and one-half ($1\frac{1}{2}$) per centum of the value of such property as assessed as provided by the Constitution and statutes now or hereafter enacted pursuant to the Constitution; provided, that the total rate of taxation levied by such municipal corporations shall not in any one year exceed one (1) per centum, unless the rate in excess thereof shall have been submitted to and authorized by ballot by the qualified electors of such municipal corporations, respectively, at elections to be held by them from time to time for such purposes and to provide for such elections.

And the House has appointed as conferees on the part of the House Messrs. Shaw, Sherrod, Tompkins, Jones of Montgomery and Hale.

Fred H. Gormley,
Clerk.

THIRD READINGS RESUMED.

The bill:

H. 879. To amend section 5978, Code of Alabama, 1907.

Was read a third time at length and passed.

Yeas, 24; Nays, 0.

Yeas:

Messrs:

Acker	Carlton	Gunter	Phillips
Beale	Carmichael	Harper	Rogers (Sumter)
Bedsole	Cowan	Kelly	Sims
Brown	Craft	Moore	Smith (Lawrence)
Butler	Ellis	Morris	Tally
Caffey	Evins	McDowell	West

Nays:—None.

The bill:

H. 426. To amend sections 1, 2 and 5 of an act entitled "An act to amend the title and sections 1, 3, 4, 5, 6, 9, 14, 15, 20, 21, 23, 25, 26, 30, 33, 34, 39, 41, 45, and 46, and to repeal sections 31 and 32 of: An act entitled 'An act to create a banking department of the State of Alabama, and through this department to regulate, examine and supervise banks and banking, and to punish certain prohibited acts relating thereto,' approved March 2nd, 1911," approved Feb. 15th, 1915.

Was read a third time at length and passed.

Yeas, 23; Nays, 1.

Yeas:

Messrs:

Beale	Carmichael	Harper	Sims
Bedsole	Cowan	Huddleston	Smith (Coosa)
Brown	Craft	Moore	Smith (Lawrence)
Butler	Ellis	McDowell	Tally
Caffey	Espy	Phillips	West
Carlton	Gunter	Rogers (Sumter)	

—23

Nays:

Mr. Morris—1.

The bill:

H. 1035. To amend section 3793 of the Code of 1907.

Was read a third time at length and passed.

Yeas, 21; Nays, 3.

Yeas:

Messrs:

Beale	Cowan	Gunter	Rogers (Sumter)
Bedsole	Craft	Harper	Sims
Brown	Ellis	Huddleston	Smith (Lawrence)
Butler	Espy	Moore	Tally
Caffey	Evins	Morris	West
Carmichael			

—21

Nays:

Messrs:

Miller	Phillips	Prestwood
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—3

The bill:

H. 523. To provide for holding district and county fairs for boys' agricultural and girls' home demonstration clubs; to prescribe the manner in which they shall be held; to create boards of directors for district and county fairs for boys' agricultural and girls' home demonstration clubs in each county; to create fair districts for boys' agricultural and girls' home demonstration clubs in each county; to create fair district committees for boys'

agricultural and girls' home demonstration clubs in each county; to provide for holding meetings of instruction for members of the boys' agricultural and girls' home demonstration clubs; to make appropriations for such fairs and to prescribe methods for drawing and spending same.

Was read a third time at length and passed.

Yeas, 21; Nays, 0.

Yeas:

Messrs:

Acker	Caffey	Gunter	McDowell
Beale	Carmichael	Harper	Phillips
Bedsole	Cowan	Huddleston	Smith (Coosa)
Briscoe	Ellis	Moore	Smith (Lawrence)
Brown	Espy	Morris	Tally
Butler			

—21

Nays:—None.

The bill:

H. 642. To amend an act entitled an act "To provide for the hiring, management, control and inspection of county convicts, approved Nov. 30th, 1907.

Was read a third time at length and passed.

Yeas, 20; Nays, 0.

Yeas:

Messrs:

Acker	Butler	Espy	Morris
Beale	Caffey	Gunter	McDowell
Bedsole	Carmichael	Harper	Phillips
Briscoe	Cowan	Kelly	Smith (Lawrence)
Brown	Ellis	Moore	Tally

—20

Nays:—None.

The bill:

H. 578. To authorize the court of county commissioners, board of revenue, or other governing body of any county in this State which has outstanding an indebtedness evidenced by warrants which have been regularly issued and registered, to settle, adjust and refund the same, and for that purpose to issue new warrants of said county.

Was read a third time at length and passed.

Yeas, 21; Nays, 0.

Yeas:

Messrs:

Acker	Briscoe	Caffey	Cowan
Beale	Brown	Carlton	Craft
Bedsole	Butler	Carmichael	Ellis

Gunter
Harper
Kelly

Morris
McDowell

Rogers (Sumter)
Sims

Smith (Lawrence)
West

—21

Nays:—None.

The bill:

H. 491. To authorize and empower commissioners courts and boards of revenue or other like governing bodies of each county in Alabama to make appropriations to pay premiums on live stock which may be exhibited in live stock shows in said county.

Was read a third time at length and passed.

Yeas, 20; Nays, 0.

Yeas:

Messrs:

Acker
Baker
Bedsole
Brown
Caffey

Carmichael
Craft
Espy
Gunter
Huddleston

Miller
Morris
Prestwood
Rogers (Lauderdale)
Rogers (Sumter)

Sims
Smith (Coosa)
Smith (Lawrence)
Tally
West

—20

Nays:—None.

The bill:

H. 202. To amend section 5888 of the Code of Alabama, 1907. (Relates to the time of holding elections for stock law districts.)

Was read a third time at length and passed.

Yeas, 21; Nays, 0.

Yeas:

Messrs:

Acker
Beale
Briscoe
Butler
Caffey
Carmichael

Cowan
Craft
Ellis
Gunter
Harper

Huddleston
Morris
McDowell
Phillips
Rogers (Lauderdale)

Rogers (Sumter)
Sims
Smith (Lawrence)
Tally
West

—21

Nays:—None.

The bill:

H. 946. To authorize banks and trust companies doing a banking business to consolidate or merge with other such institutions or to transfer their places of business to other towns or cities, within this State, upon the approval of the superintendent of banks, and to prescribe the procedure.

Was read a third time at length and passed.

Yeas, 22; Nays, 0.

Yeas:

Messrs:

Acker	Caffey	Kelly	Sims
Beale	Carmichael	Moore	Smith (Coosa)
Bedsole	Cowan	McDowell	Smith (Lawrence)
Briscoe	Ellis	Phillips	Tally
Brown	Gunter	Rogers (Lauderdale)	West
Butler	Harper		

—22

Nays:—None.

The bill:

H. 719. To create and designate an additional trunk road, extending from Cullman, in the county of Cullman, west by Addison, thence south to Jasper and from Jasper south through Gurganus to Tuscaloosa in Tuscaloosa county, and to confer upon said road all of the rights and privileges now extended to trunk roads in this State.

Was read a third time at length and passed.

Yeas, 19; Nays, 0.

Yeas:

Messrs:

Acker	Carlton	Harper	Rogers (Sumter)
Baker	Cowan	Kelly	Smith (Coosa)
Beale	Ellis	Moore	Smith (Lawrence)
Briscoe	Espy	McDowell	West
Butler	Gunter	Prestwood	

—19

Nays:—None.

The bill:

H. 344. To amend section 3617 of the Code of Alabama of 1907.

Was read a third time at length and passed.

Yeas, 21; Nays, 0.

Yeas:

Messrs:

Acker	Caffey	Gunter	McDowell
Beale	Carlton	Harper	Rogers (Sumter)
Bedsole	Carmichael	Kelly	Smith (Coosa)
Briscoe	Cowan	Miller	Smith (Lawrence)
Brown	Craft	Morris	West
Butler			

—21

Nays:—None.

The bill:

H. 8. To regulate the sale of standing timber, fix time limit for cutting and removing same, providing a right-of-way for cut-

ting and removing timber and providing for the reversion of the title after the time limit expires.

Was read a third time at length and passed.

Yeas, 17; Nays, 1.

Yeas:

Messrs:

Acker	Butler	Craft	Moore
Beale	Caffey	Ellis	Smith (Lawrence)
Bedsole	Carmichael	Espy	Tally
Briscoe	Cowan	Gunter	West
Brown			

—17

Nays:

Mr. Huddleston—1.

The bill:

H. 1057. To appropriate \$186.08 to be paid to Montgomery Fair, a corporation, in payment of debts due said corporation by the State of Alabama, for supplies, contracted prior to January 1, 1915, by the following departments, for the following amounts: Convict department, \$7.20; department of agriculture, \$7.96; department of immigration, \$9.00; court of appeals, \$30.17; maintenance department, \$131.75.

Was read a third time at length and passed.

Yeas, 19; Nays, 0.

Yeas:

Messrs:

Acker	Butler	Harper	Rogers (Lauderdale)
Baker	Caffey	Kelly	Sims
Beale	Carmichael	Miller	Smith (Lawrence)
Bedsole	Craft	Morris	West
Briscoe	Evins	Phillips	

—19

Nays:—None.

The bill:

H. 803. To regulate and provide for the payment of claims against the fine and forfeiture fund of Autauga county, Alabama.

Was read a third time at length and passed.

Yeas, 21; Nays, 0.

Yeas:

Messrs:

Acker	Cowan	Huddleston	Prestwood
Beale	Craft	Miller	Rogers (Sumter)
Briscoe	Espy	Morris	Smith (Coosa)
Butler	Evins	McDowell	Tally
Carlton	Harper	Phillips	West
Carmichael			

—21

Nays:—None.

The bill:

H. 433. To limit the liability of a bank for nonpayment of a check through error.

Was read a third time at length and passed.

Yeas, 21; Nays, 0.

Yeas:

Messrs:

Acker	Craft	Kelly	Sims
Beale	Espy	Miller	Smith (Coosa)
Briscoe	Gunter	Moore	Smith (Lawrence)
Butler	Harper	Morris	Tally
Carmichael	Huddleston	Phillips	West
Cowan			

—21

Nays:—None.

The bill:

H. 867. To establish a trunk highway beginning at Cullman, Cullman county, and running to Commercial, Walker county, Alabama.

Was read a third time at length and passed.

Yeas, 21; Nays, 0.

Yeas:

Messrs:

Acker	Cowan	Harper	Rogers (Lauderdale)
Beale	Craft	Kelly	Sims
Briscoe	Ellis	Moore	Smith (Coosa)
Brown	Espy	Morris	Tally
Butler	Gunter	Phillips	West
Carmichael			

—21

Nays:—None.

The bill:

H. 912. To make an appropriation for tick eradication.

Was read a third time at length and passed.

Yeas, 20; Nays, 0.

Yeas:

Messrs:

Acker	Carlton	Gunter	Morris
Beale	Carmichael	Harper	Sims
Briscoe	Cowan	Kelly	Smith (Lawrence)
Brown	Craft	Miller	Tally
Butler	Espy	Moore	West

—20

Nays:—None.

The bill:

H. 453. To require banks and trust companies doing a banking business, to set aside at least 10% of their net earnings each

year to a surplus fund, until such fund shall be equal to at least 20% of the capital stock, and to provide penalties for failure.

Was read a third time at length and passed.

Yeas, 18; Nays, 0.

Yeas:

Messrs:

Acker	Carlton	Harper	Sims
Bedsole	Carmichael	Moore	Smith (Coosa)
Briscoe	Cowan	Morris	Tally
Brown	Craft	Phillips	West
Butler	Cunter		

—18

Nays:—None.

The bill:

H. 540. To provide bathing facilities for coal miners in this State.

Was read a third time at length and passed.

Yeas, 18; Nays, 0.

Yeas:

Messrs:

Acker	Butler	Miller	Sims
Beale	Carlton	Moore	Smith (Coosa)
Bedsole	Carmichael	Morris	Tally
Briscoe	Craft	Phillips	West
Brown	Harper		

—18

Nays:—None.

The bill:

H. 900. To confer additional powers, authority and jurisdiction on and to further prescribe the duties of the board of control and economy created by the act of the Legislature, approved February 13, 1919; to abolish the board of convict inspectors and the offices of the members and employees thereof and to confer upon the State board of control and economy all the power, authority and jurisdiction heretofore exercised by or under the authority of the State board of convict inspectors, and additional powers and authority, including authority and power to provide for the segregation, care, custody and treatment of tubercular persons; and to impose upon the board of control and economy all the duties heretofore required of the State board of convict inspectors and additional duties; to confer upon the board of control and economy general supervision and authority over the office of the State prison inspector who shall henceforth discharge the duties of his office in connection with and as part of the work of the State board of control and economy; to confer

upon the board of control and economy certain duties and authority with reference to the purchasing and supplies of the public printing and binding, stationery, fuel and paper, and other powers and authority incident to the more efficient control and co-ordination of the business operation of the State; also providing for the necessary appropriation to pay all salaries, wages and other expenses and outlays authorized to be paid or incurred in this and the said original act of February 13, 1919.

Was taken up.

Mr. Acker offered the following amendment to said bill:

Amend section one (1) of House bill No. 900, by inserting next after the words "and he shall hold his office subject to the removal of the governor," where they appear in said section, the following words: "The board of control and economy is hereby authorized and empowered by and with the approval of the governor to prescribe the subordinate officers, assistants and employees, necessary for the proper conduct and operation of the convict department, to prescribe their duties and to fix their salaries or compensation. Such subordinate officers, assistants and employees to be appointed by the State warden general, with the approval of the governor. The said officers, assistants and employees shall be subject to removal by the governor, and the said salaries or compensation shall be paid out of the funds of the convict department as salaries of officers or employees of the convict department have heretofore been paid."

Which was adopted.

Yeas, 22; Nays, 0.

Yeas:

Messrs:

Acker	Carlton	Harper	Rogers (Sumter)
Beale	Carmichael	Huddleston	Sims
Bedsole	Cowan	Kelly	Smith (Lawrence)
Briscoe	Craft	Miller	Tally
Brown	Espy	Morris	West
Butler	Harper		

—22

Nays:—None.

Mr. Acker also offered the following amendment to said bill:

Amend House bill number nine hundred (No. 900) by adding section seven and one-half (7½) as follows: "That the board of control shall also be the purchasing agent with like power for the purchase for the counties of the State, of stationery, books, blank books and office supplies and other supplies and materials, and also shall be purchasing agent for blank books, stationery, office supplies and material for use in the several State offices,

departments, commissions, bureaus and boards other than for the use of the Supreme Court, the Court of Appeals and the State and Supreme Court libraries. Provided the said board of control shall make purchases for the several counties of the State only when and only to the extent that it may be authorized to do so by the action of the court of county commissioners, board of revenue or other governing body of the county."

Which was adopted.

Yeas, 19; Nays, 1.

Yeas:

Messrs:

Acker	Butler	Craft	Smith (Coosa)
Beale	Caffey	Gunter	Smith (Lawrence)
Bedsole	Carlton	Harper	Tally
Briscoe	Carmichael	Morris	West
Brown	Cowan	Sims	

—19

Nays:

Mr. Huddleston—1.

Mr. Acker also offered the following amendment to said bill:

Amend section nine by eliminating therefrom the words and figures "October, 1919" and substituting therefor the words "January, nineteen hundred and twenty."

Which was adopted.

Yeas, 21; Nays, 0.

Yeas:

Messrs:

Acker	Caffey	Harper	Phillips
Beale	Carlton	Huddleston	Rogers (Sumter)
Bedsole	Carmichael	Kelly	Smith (Coosa)
Briscoe	Cowan	Moore	Smith (Lawrence)
Brown	Craft	Morris	West
Butler	Gunter		

—21

Nays:—None.

And said bill, as thus amended, was read a third time at length and passed.

Yeas, 20; Nays, 0.

Yeas:

Messrs:

Acker	Butler	Gunter	Morris
Beale	Carmichael	Harper	Sims
Bedsole	Cowan	Kelly	Smith (Coosa)
Briscoe	Craft	Miller	Tally
Brown	Espy	Moore	West

—20

Nays:—None.

The bill:

H. 615. To amend certain sections of the primary election law, being "An act to regulate primary elections in the State of Alabama," appearing in the printed acts of 1915 at pages 218 to 259 inclusive, by amending, to-wit: Sections 8, 9, 11, 12, 19, 20, 23, 32, 33, 36, 38, 39, 40, 41, 42, 43, 45, 49, 52 and 58 of said act. Was taken up.

Mr. Phillips offered the following amendment to said bill:

Amend section 20 by striking out all words beginning with the word "All ballots shall be numbered," and the succeeding words in said section. Insert in lieu thereof the following words:

"All ballots shall be numbered on the back thereof before being deposited in the ballot box, and a corresponding number be placed by the inspector on a record to be kept for that purpose by them, which record shall be enclosed in a separate envelope and sealed and directed to the probate judge and filed with him by the returning officer and be kept by the probate judge, to be opened only in the event of a contest. In the event of a contest such record, sealed, of only the counties, districts, precincts, or wards concerned in the contest, shall be delivered by such judge to the chairman of the committee which is to try the contest; and when opened may be used in evidence so far as necessary. Such chairman shall not open such sealed records except on proper demand as per section forty-two, or as permitted by law, except to make certified copies on such demand, he shall not open them except in the presence of the trial committee. After the time allowed by law for filing contests, if no contest be filed the probate judge shall destroy such sealed record.

Which was adopted.

Yeas 20; Nays, 0.

Yeas:

Messrs:

Acker	Butler	Harper	Sims
Beale	Carmichael	Huddleston	Smith (Coosa)
Bedsole	Cowan	Kelly	Smith (Lawrence)
Briscoe	Craft	Morris	Tally
Brown	Espy	Phillips	West

—20

Nays:—None.

And said bill, as thus amended, was read a third time at length and passed.

Yeas, 22; Nays, 0.

Yeas:

Messrs:

Acker
Beale
Bedsole
Briscoe
Brown
Butler

Caffey
Carmichael
Cowan
Craft
Ellis
Espy

Gunter
Harper
Kelly
Moore
Morris

Phillips
Sims
Smith (Lawrence)
Tally
West

—22

Nays:—None.

RECESS.

At 2 P. M., on motion of Mr. Acker, the Senate took a recess until 3 o'clock this afternoon.

AFTERNOON SESSION—FORTY-NINTH DAY.

Thursday, September 25, 1919.

The Senate re-assembled at 3 o'clock P. M., Lieutenant Governor Miller presiding.

ROLL CALL.

On a call of the roll, 33 members answered to their names, a quorum of the Senate.

REPORTS OF COMMITTEES.

Mr. Brown, chairman of the Standing Committee on Municipalities and Municipal Organizations, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit: By Mr. Van de Graff:

H. 256. To authorize and empower counties, cities and towns to appropriate monies out of their general funds for the maintenance and support of municipal bands and other musical organizations for public entertainment.

By Mr. Hawkins:

H. 981. To amend sections 10 and 21 of the act of the Legislature of Alabama, entitled "An act to provide for the government by a commission of all cities in Alabama which now have, or which may hereafter have a population of one hundred thousand people, or more according to the last Federal census or any such census which may hereafter be taken, when such cities by

an election adopt the provisions of this act; to provide for the selection and election of commissioners and their terms of office; to fix their powers, duties and compensation; to punish improper conduct in connection with the election of said commissioners, and to otherwise provide for the creation, conduct and maintenance of said commission form of government, and to repeal all laws and parts of laws in conflict with the provisions of this act," approved September 25, 1915, be amended so as to read as follows:

By Mr. Arnold:

H. 656. To authorize and empower cities and towns of the State of Alabama to contract with the United States of America, the State of Alabama, and any county of the State of Alabama, for the construction or improvement, or the reconstruction or reimprovement of streets, avenues and highways, when such streets, avenues or highways are established, constructed, reconstructed, improved or reimproved by the United States government, the State of Alabama, or any county of the State of Alabama, and to agree upon the proportionate share of the cost of such assessment to be paid by any municipality; and to provide for the assessment of the same against the property benefited; and to authorize the issuance of bonds for such public improvements; and to provide that such proceedings shall be governed by the general laws of Alabama relating to assessments for public improvements, except as herein provided.

Mr. Miller, chairman of the Standing Committee on Revision of Laws, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Sparks:

H. 1042. To further provide for and regulate the duties of the courts of county commissioners, or boards of revenue, in the purchase and preparation of food supplies for feeding prisoners under charge, or under conviction, of any indictable offense, confined in the county jails over which they have jurisdiction, and in making provision out of the county treasury for suitable food, clothing, lodging, medicine, and medical attention, for such of the convicts sentenced to jail, with or without hard labor for the county, as are not let to hire, under the provisions of article 5, chapter 191, of the criminal code of Alabama, and in the employment of such convicts, sentenced to hard labor, for the county, as are ordered to labor on the public works of the county, and to further regulate and make provision for the reception, and safe-

keeping and feeding of convicts while being conveyed to the penitentiary, and to further regulate the accounting and payment for feeding prisoners in the county jails.

Mr. Acker, chairman of the Standing Committee on Judiciary, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Tompkins:

H. 475. To authorize the personal representative, by appointment of a court having jurisdiction in any other state than the State of Alabama, to receive and collect indebtedness owing to deceased by a person who is a resident of Alabama, and to execute receipt and discharge therefor.

Mr. Brown, chairman of the Standing Committee on Municipalities and Municipal Organizations, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with an adverse report, and it was read a second time and placed on the adverse calendar, to-wit:

By Mr. Adams:

H. 347. To amend section 1188 of the Political Code of Alabama, 1907.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has amended as therein shown and as amended has passed:

S. 358. To amend section 1 and 4 of an act, approved April 18, 1911, and entitled, "An act to regulate the mining of coal in Alabama."

And returns same herewith to the Senate.

Fred H. Gormley,
Clerk.

HOUSE MESSAGE.

On motion of Mr. Beale, the Senate concurred in and adopted the following amendment by the House to Senate bill No. 358, the title of which is set out in the foregoing message from the House, to-wit:

Amend section 4 of S. 358, by adding:

Provided, however, that nothing in this act shall be construed in such way that any one now employed or hereafter to be employed as mine inspector shall be debarred from the position of associate mine inspector, provided he possesses the required qualifications.

Yeas, 24; Nays, 0.

Yeas:

Messrs:

Acker	Caffey	Espy	McDowell
Beale	Carlton	Evins	Phillips
Bedsole	Carmichael	Gunter	Smith (Coosa)
Briscoe	Cowan	Harper	Smith (Lawrence)
Brown	Craft	Huddleston	Tally
Butler	Ellis	Morris	West

—24

Nays:—None.

BILLS ON THIRD READING.

The bill:

H. 441. To amend section 3453 of the Code of Alabama of 1907.

Was read a third time at length and passed.

Yeas, 20; Nays, 0.

Yeas:

Messrs:

Acker	Ellis	McDowell	Sims
Beale	Evins	Phillips	Smith (Coosa)
Bedsole	Gunter	Prestwood	Smith (Lawrence)
Briscoe	Huddleston	Rogers (Lauderdale)	Tally
Carmichael	Miller	Rogers (Sumter)	West

—20

Nays:—None.

The bill:

H. 893. To provide for and authorize the appointment of a special judge in circuits composed of only one county, and having more than three circuit judges in cases of incompetency of the regular judge, or his temporary inability to act.

Was read a third time at length and passed.

Yeas, 20; Nays, 0.

Yeas:

Messrs:

Acker	Ellis	McDowell	Sims
Beale	Evins	Phillips	Smith (Coosa)
Bedsole	Gunter	Prestwood	Smith (Lawrence)
Briscoe	Huddleston	Rogers (Lauderdale)	Tally
Carmichael	Miller	Rogers (Sumter)	West

—20

Nays:—None.

The bill:

H. 955. To provide for the relief of L. F. Jackson, and to authorize the payment to him of the sum of one hundred dollars out of the fine and forfeiture fund of Jefferson county, same having been paid by him upon the forfeiture of a bond of Judge Morrow.

Was read a third time at length and passed.

Yeas, 20; Nays, 0.

Yeas:

Messrs:

Acker	Ellis	McDowell	Sims
Beale	Evins	Phillips	Smith (Coosa)
Bedsole	Gunter	Prestwood	Smith (Lawrence)
Briscoe	Huddleston	Rogers (Lauderdale)	Tally
Carmichael	Miller	Rogers (Sumter)	West

—20

Nays:—None.

The bill:

H. 324. To provide a fund for support of a law library for the circuit court in counties of two hundred thousand or more inhabitants, without appropriations from the State or county treasury.

Was read a third time at length and passed.

Yeas, 20; Nays, 0.

Yeas:

Messrs:

Acker	Ellis	McDowell	Sims
Beale	Evins	Phillips	Smith (Coosa)
Bedsole	Gunter	Prestwood	Smith (Lawrence)
Briscoe	Huddleston	Rogers (Lauderdale)	Tally
Carmichael	Miller	Rogers (Sumter)	West

—20

Nays:—None.

REPORT OF CONFERENCE COMMITTEE.

To the Presiding Officer of the Senate

September 25th, 1919.

and

To the Speaker of the House:

We, the undersigned, your Committee on Conference on the part of the two houses relative to the disagreement of the two houses on the bill, S. 593, having had the same under consideration beg to report that we recommend that the Senate concur in the amendments to the bill proposed by the House.

2nd. That the bill be further amended by adding in section 3, after the word "Selma," the following words: "Anniston, Athens, Auburn, Carbon Hill, Jacksonville, Fairfield and LaFayette."

B. A. Rogers,
C. R. West,
James B. Ellis,
John B. Tally,
Committee on the part of the Senate.
W. H. Shaw,
W. L. Sherrod,
F. K. Hale,
Walter B. Jones,
O. L. Tompkins,
Committee on the part of the House.

CONFERENCE REPORT.

On motion of Mr. Rogers of Lauderdale, the foregoing report from the Committee of Conference on the disagreement of the two houses on the House amendments to the bill:

S. 593. To provide and submit to the qualified electors of the State of Alabama at an election to be held on the first Monday after the expiration of three months from and after the final adjournment of the present session of the Legislature at which this amendment is proposed, an amendment to the Constitution of the State of Alabama, whereby the following municipal corporations, Birmingham, Bessemer, Huntsville, Florence, Selma, Anniston, Athens, Jacksonville, Auburn, Fairfield, Carbon Hill, Mobile and LaFayette, in the State of Alabama, may levy and collect a rate of taxation on the property situated therein not exceeding in the total in any one year one and one-half ($1\frac{1}{2}$) per centum of the value of such property as assessed, as provided by the Constitution and statutes now or hereafter enacted pursuant to the Constitution; provided that the total rate of taxation levied by such municipal corporations shall not in any one year exceed one (1) per centum, unless the rate in excess thereof shall have been submitted to and authorized by ballot by the qualified electors of such municipal corporations, respectively, at elections to be held by them from time to time for such purposes and to provide for such elections.

Was concurred in and adopted by the Senate.

Yeas, 24; Nays, 0.

Yeas:

Messrs:

Acker	Carlton	Gunter	Rogers (Lauderdale)
Beale	Carmichael	Harper	Sims
Bedsole	Cowan	Kelly	Smith (Coosa)
Brown	Craft	Moore	Smith (Lawrence)
Butler	Ellis	McDowell	Tally
Caffey	Espy	Prestwood	West

—24

Nays:—None.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has concurred in and adopted the amendments proposed by the governor to the bill:

S. 470. To provide a complete educational system for the State of Alabama; to provide a public school fund; to provide for the administration of the public schools and create a State board of education and prescribe its powers and duties; to create county and city boards of education, to define their respective powers

and duties, to provide for the payment of their necessary expenses and equipment, including furniture; to provide for the holding of elections for the one mill county tax on each dollar of taxable property under the Constitution of 1901; to provide for the holding of elections for the county tax of three mills or less on each dollar of taxable property under the amendment to the Constitution of 1901; to provide for the holding of elections for the district tax of three mills or less on each dollar of taxable property, and to prescribe the method of holding such elections; to prescribe the duties and powers of the State superintendent of education and to fix his compensation; to provide for the organization of the State department of education; to provide for the appointment of county superintendents of education, to define their duties and powers and to provide for their compensation; to provide for boards of school trustees; to provide for the appointment of city superintendents of education, to define their duties and powers, and to provide for their compensation; to provide for supervisors of schools in the various counties and cities, to fix their duties and powers, and provide for their compensation; to provide for the use of a bonus fund for counties levying and collecting a special county tax for school purposes, and to fix the amount in accordance with the rate of such special tax; to provide for a county treasurer of school funds; to provide for compulsory attendance upon the schools of the State within certain ages, to fix penalties, to provide for the appointment of attendance officers and to define their duties and fix their compensation and to provide the method of enforcing compulsory attendance within the ages prescribed; to provide for the certification of teachers, and to provide for the use of appropriations for the issuance of certificates and for the conduct of teachers' institutes, for the training of teachers in service, and provide the necessary clerical and other assistants; to provide financial assistance for the erection, repair and equipment of rural school-houses, and to prescribe the conditions under which such assistance may be obtained; to provide for the sale and conveyance of certain lands that have been conveyed to the State for school purposes; to provide for rural libraries throughout the State, including the method by which assistance may be obtained; to provide for vocational education and for the use of appropriations therefor; to provide for the removal of illiteracy among adults as well as among minors, and for the use of appropriations therefor; to provide uniform textbooks throughout the State and to authorize the creation of a State textbook committee and to define its powers and duties; to provide for county high schools and prescribe the conditions under which such county high schools may

obtain assistance from the State, and to authorize such county high schools to receive financial assistance from county boards of revenue, boards of education, school districts or private sources; to provide for county high school treasurer, to fix their bonds and prescribe their powers and duties and to provide for the payment of the premiums upon their bonds; to provide for county treasurers of school funds, to fix their bonds and prescribe their powers and duties and to provide for the payment of the premiums upon their bonds; to provide for changing the name of the nine branch agricultural schools and experiment stations, or district agricultural schools, and of the Northeast Alabama Agricultural and Industrial Institute to State secondary agricultural schools, to provide for their management and control and for their continuance upon the meeting of certain requirements and for the use of appropriations therefor; to provide for certain State normal schools and for their control and management and for the use of appropriations therefor; to provide for the creation of the Alabama School of Trades and Industry and for its control and management; to provide for changing the name of the Agricultural and Mechanical College for Negroes to Agricultural and Mechanical Institute for Negroes, and to provide for its management and control and for the use of appropriations therefor; to provide for changing the name of the school heretofore established at Montevallo as the Alabama Girls' Industrial School, later called the Alabama Girls' Technical Institute, to the name of the Alabama Technical Institute and College for Women; to create a board of trustees for such institute, to prescribe their powers and duties, their method of appointment, and length of service, and for the use of appropriations therefor; to provide for the management and control of the Alabama Polytechnic Institute, to define the powers and duties of the board of trustees, the method of appointment of such trustees, and for the use of appropriations to said institute; to provide for the management and control of the University of Alabama, to define the duties and powers of the trustees, the method of appointment of such trustees, and for the use of appropriations to the University; to provide for a summer school at the University of Alabama and for the use of appropriations therefor; to create a State council of education and to prescribe its powers and duties; to provide for the management and control of the Alabama Institute for the Deaf; of the Alabama Academy for the Blind, and of the Alabama School for Negro Deaf and Blind, to create a board of trustees therefor and to provide for the method of their appointment and the length of service and for the use of appropriations therefor; to provide for the establishment and maintenance of the

Alabama boys' industrial School, to provide for the management and control thereof, and for the appointment of a board of directors, to define their powers and duties and the method of committing boys thereto, and for the use of appropriations therefor; to provide for the maintenance and establishment of the Alabama School for Juvenile Negro Lawbreakers; to provide for the management and control thereof, and for the appointment of a board of directors, to define their powers and duties, and for the method of committing boys thereto, and for the use of appropriations for such school; to provide for the lease and sale of school lands in the State; to make certain requirements with reference to the bonds of officials and employees authorized under the provisions of this act; to require county and city boards of education to give regular instruction in all schools under their direction as to the nature of alcoholic drinks, tobacco and other narcotics; to require private, denominational and parochial schools to make reports; to provide penalties for the violation of the provisions of this act and to provide for the repeal of inconsistent laws enacted hereafter.

Said vote being Yeas, 42; Nays, 35.

And returns said bill with the governor's message to the Senate.

Fred H. Gormley,
Clerk.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has passed the following Senate bills:

S. 717. To make appropriations to the Alabama Boys' Industrial School.

Also:

S. 732. To make an appropriation for the erection, repair and equipment of rural schoolhouses.

Also:

S. 715. To make appropriation for the maintenance and support of the State Training School for Girls, and for the erection and equipment of buildings and furniture and equipment therefor.

Also:

S. 730. To amend sections 1941 and 1942 of the Code of Alabama of 1907.

Also:

S. 719. To amend section 1946 of the Code of Alabama of 1907.

Also:

S. 734. To make appropriations to the State department of education.

Also:

S. 729. To change the name of each of the nine branch district agricultural schools and experiment stations and to make appropriations for their maintenance and support.

And returns same to the Senate.

Fred H. Gormley,
Clerk.

MESSAGE FROM THE HOUSE.

Mr. President:

The House accedes to the request of the Senate for a committee of conference on the disagreement of the two houses on the House amendments to the bill:

S. 748. To make appropriations for the ordinary expenses for the executive, legislative and judicial departments of the State, for the interest on the public debt and for the public schools.

And the House has appointed as conferees on the part of the House, Messrs. Murphree, Cobbs and Tompkins.

Fred H. Gormley,
Clerk.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has passed the following Senate bills:

S. 722. To make an appropriation to the Alabama illiteracy commission or to the State board of education, if created, for the removal of illiteracy in Alabama.

Also:

S. 714. To appropriate the sum of \$7,500.00 to supplement a fund of \$15,000.00 to be raised by the citizens of Blountsville to rebuild the Ninth District Agricultural School building, recently destroyed by fire.

Also:

S. 499. To make an appropriation for the purchase of grounds and buildings, for the erection of additional buildings, for the repair of buildings and improvements of grounds, and for the equipment of the State Normal School at Daphne, Alabama.

Also:

S. 739. To amend section 692 of the Code of Alabama.

Also:

S. 720. To make an appropriation for the maintenance and supervision of county high schools.

Also:

S. 728. To change the name of the Northeast Alabama Agricultural and Industrial Institute at Lineville and to make an appropriation for its maintenance and support.

Also:

S. 718. To amend section 1952 of the Code of Alabama of 1907.

Also:

S. 731. To make an appropriation to the State board of education.

And returns same herewith to the Senate.

Fred H. Gormley,
Clerk.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has passed the following Senate bills:

S. 735. To make an appropriation to Tuskegee Normal and Industrial Institute.

Also:

S. 723. To make an appropriation for the benefit of those counties that may be levying and collecting a special county school tax during any fiscal year, and to provide for the expenditure of the funds set apart for any county by the county board of education.

Also:

S. 725. To amend section 8 of an act "To provide for the acceptance of the benefits of an act by the Senate and House of Representatives of the United States of America in Congress assembled, to provide for the promotion of vocational education; to provide for the appointment of a State board of vocational education; and to provide for the duties thereof; and to make appropriations for vocational education," approved February 15, 1919.

Also:

S. 726. To amend an act entitled an act "To create and establish a reform school for the training of juvenile negro lawbreakers at Mt. Meigs, Alabama; to make appropriations for the purpose, and accept by donation all such lands and buildings as are needful therefor; to create a board of trustees, and to provide for the suitable management of said institution." Approved April 24, 1911.

Also:

S. 736. To make an appropriation for the State Normal School for colored teachers located at Montgomery.

Also:

S. 744. To amend section 79 of the Code of Alabama of 1907.

Also:

S. 733. To amend section 1780 of the Code of Alabama of 1907.

And returns same to the Senate.

Fred H. Gormley,
Clerk.

MESSAGE FROM THE GOVERNOR.

In Re Senate Bill 332.

September 25, 1919.

Gentlemen of the Senate:

I herewith return without my approval Senate bill No. 332 amending the act regulating the employment of minor children within the State of Alabama, with amendments suggested which if made will remove my objection to the bill, as follows:

Amend section 4 by adding at the end thereof next after the words "where intoxicating liquors are manufactured or sold," the words "nor to work in any pool or billiard room or place."

Also amend in connection with the foregoing amendment section 6, by striking out subdivision 15 of said section 6.

The effect of the two amendments taken together will be to prohibit the employment of persons under twenty-one years of age in any establishment where intoxicating liquors are manufactured or sold or in any pool or billiard room or place.

Respectfully,
Thos. E. Kilby,
Governor.

GOVERNORS MESSAGE.

On motion of Mr. Evins, the Senate concurred in and adopted the amendment proposed by his excellency, the governor, to:

S. 332. To amend an act entitled, "An act to regulate the employment of minor children within the State of Alabama; to prohibit the employment of minors under certain conditions; to provide for the inspection, and regulation of establishments, occupations, places and premises where minors are employed; to entrust the enforcement of the provisions of this act to the State prison inspector; to punish violations of this act," and approved February 24, 1915.

Said amendment being set out in the foregoing message from the governor.

Yeas, 25; Nays, 0.

Yeas:

Messrs:

Acker	Cowan
Beale	Craft
Bedsole	Ellis
Brown	Espy
Caffey	Evins
Carlton	Gunter
Carmichael	

Harper	McDowell
Huddleston	Prestwood
Kelly	Rogers (Sumter)
Miller	Smith (Coosa)
Moore	Tally
Morris	West

Nays:—None.

Being a majority of the whole number elected to the Senate.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has passed the following Senate bills:

S. 721. To provide for appropriation to the Alabama School of Trades and Industries at Ragland.

Also:

S. 724. To make an appropriation for the establishment of libraries in the rural, village and town schools of Alabama.

Also:

S. 651. To amend an act approved February 14, 1919, entitled, "An act to provide for extension work in agriculture and home economics by giving instruction to men, women and young people in the several counties in Alabama, by continuing and improving farm demonstration work, by organizing marketing clubs, by organizing and supervising boys' corn and pig clubs, girls' canning clubs, women's clubs in home economics and by conducting other extension work through other means, all with a view to making farm life more profitable and attractive; to secure for Alabama the full amount of the funds conditionally appropriated by Congress under the Smith-Lever Extension act for extension work in agriculture and home economics; and to make appropriations for these purposes."

Also:

S. 548. To amend section 5869 of the Code of Alabama of 1907.

Also:

S. 549. To regulate costs, charges and fees in trials before the county courts and to provide for the collection thereof; to fix the salaries of judges of the county courts and to provide for their payment; to provide for clerks of the county court and to regulate their compensation.

Also:

S. 749. To provide for the purchase or condemnation of a site and the erection of a building thereon for a pasteur institute and laboratory and the purchase of necessary or proper equipment therefor and to make appropriation for such purposes.

And returns same to the Senate.

Fred H. Gormley,
Clerk.

BILLS ON THIRD READING.

The bill:

H. 583. To further revise, extend and amend the health and quarantine laws of the State of Alabama; to provide penalties

for the violation of the provisions thereof; and to make appropriations to cover the expenses thereof.

Was taken up.

Mr. Evins offered the following amendment to said bill, to-wit:

Amend subdivision 6 of section 701 of article 1, H. 583, to read as follows:

6. To adopt and promulgate rules and regulations providing proper methods and details for administering the health and sanitary laws of the State, which rules and regulations shall be first published for one week in some newspaper published in each county, or, for the same length of time in some paper of general circulation in this State, after which they shall have the force and effect of law, and shall be executed and enforced by the same courts, bodies, officials, agents and employees as in the case of health laws, and any person knowingly violating or failing or refusing to obey or comply with any such rules or regulation shall be guilty of a misdemeanor, and shall be punished in accordance with the provisions of section 7073 of this Code, and if the violation or failure is a continuing one each day's violation or failure shall constitute a separate offense and be punishable accordingly. The reasonableness of the rules and regulations hereinabove authorized shall be, whenever called in question, a matter for the determination of the courts.

Mr. Carmichael moved to table said amendment, which motion prevailed and said amendment was laid on the table.

Yeas, 16; Nays, 11.

Yeas:

Messrs:

Acker	Caffey	Ellis	Rogers (Sumter)
Beale	Carlton	Espy	Sims
Bedsole	Carmichael	Kelly	Smith (Coosa)
Brown	Cowan	McDowell	Smith (Lawrence)

—16

Nays:

Messrs:

Craft	Huddleston	Morris	Tally
Evins	Miller	Prestwood	West
Harper	Moore	Rogers (Lauderdale)	

—11

Mr. Prestwood offered the following amendment to said bill:

Amend article 1, H. 583, by adding thereto section 698 $\frac{1}{2}$, following section 698, as follows:

698 $\frac{1}{2}$. There is hereby created a State board of health for the State of Alabama, to be composed of the governor as ex officio member, and five other members appointed by the governor, two of whom shall be regularly licensed, practicing physi-

cians, and who shall be nominated by the State Medical Association, and the other three to be appointed by the governor on his own motion, one of whom shall be a regularly licensed, practicing physician, and the other two shall be laymen of known business ability. Should the said medical society fail, neglect, or refuse to make any nomination within sixty days from the approval of this act, or within sixty days after a vacancy on the State board of health occasioned by the death, resignation or removal of a physician member thereof, the governor shall proceed to appoint such physician members of his own motion. The members of the State board of health shall be appointed to serve for terms of two, four, six, eight, and ten years, respectively, and until their successors are appointed and qualified, and the governor shall in making the appointments designate the time at which the term of each member so appointed shall expire. All vacancies on the board, from whatever cause, shall be filled by appointment by the governor, the State Medical Society to have the privilege of nominating two physician members as hereinbefore provided. The State board of health as herein constituted shall meet in the State capitol in Montgomery on the first Tuesday in December, 1919. At this meeting the board shall elect one of its members as president, one vice-president, and one secretary. Other regular meetings shall be held biennially on the first Tuesdays in May and December of each year; and such special meetings may be called as in the opinion of the chairman the public good may require. Each member of said board shall be paid the sum of ten dollars per day for each day he is in attendance upon the meetings of the board, and expenses, including railroad fare to and from the place of meeting, which sum shall be paid upon the certificate of the chairman of the board; provided that no member shall receive pay for more than twenty days attendance in any one calendar year. At all meetings of the State board of health the rules generally adopted by deliberative bodies for their government shall be observed, and no motion or resolution shall be declared adopted without the concurrence of the majority of the whole board, which fact must be affirmatively shown by the minutes of the meeting at which such motion or resolution is adopted.

Mr. Acker moved to table said amendment, which motion prevailed and said amendment was laid on the table.

Yeas, 14; Nays, 13.

Yeas:

Messrs:

Acker
Beale

Bedsole
Brown

Caffey
Carlton

Carmichael
Cowan

Ellis	Kelly	Rogers (Sumter)	Sims	
Espy	McDowell			—14

*Nays:***Messrs:**

Craft	Miller	Prestwood	Smith (Lawrence)	
Evins	Moore	Rogers (Lauderdale)	Tally	
Harper	Morris	Smith (Coosa)	West	
Huddleston				—13

PAIR ANNOUNCED.

Mr. Gunter announced that he and Mr. Butler were paired on this vote; that Mr. Butler, if present, would vote "yea" and he, Mr. Gunter, would vote "nay."

Mr. Gunter offered the following amendment to said bill:

Amend article 1 by striking therefrom section 699, and inserting in lieu thereof the following:

699. Office of State health officer. State health officer, how appointed.—The office of State health officer for the State of Alabama is hereby created. The State health officer shall be a duly qualified, licensed, and practicing physician, resident in the State of Alabama, not less than thirty years of age, of good moral character and professional standing, and shall be appointed by the governor with the consent and approval of the State board of health. The State health officer when so appointed shall serve for a term of four years, and until his successor is appointed and qualified, unless sooner removed as now provided by law. The State health officer shall receive an annual salary of five thousand dollars, payable monthly, out of the funds appropriated for the use of the State health department, on certificate of the governor. Before entering upon the duties of his office the State health officer shall take and subscribe the constitutional oath of office, and shall enter into bond, with some surety company authorized to do business in the State of Alabama, as surety, payable to the State of Alabama, in the sum of ten thousand (\$10,000.00) dollars, conditioned for the faithful discharge of his official duties, and the proper accounting for all funds coming into his hands as such officer. The State health officer shall have, under the direction and supervision of the State board of health, general supervision of the enforcement of the health and sanitary laws of the State; shall with the consent of the State board of health appoint such assistants as may be necessary to carry out the health laws of the State; and, with the approval of the State board, may fix the salaries to be paid such assistants; he shall have full power to direct and enforce

the quarantine laws of the State, and shall do and perform such other duties as may be required by law, and by the rules and regulations made and promulgated by the State board of health.

Mr. Carmichael moved to table the amendment offered by Mr. Gunter, which motion prevailed and said amendment was laid on the table.

Yeas, 16; Nays, 11.

Yeas:

Messrs:

Acker	Caffey	Ellis	Rogers (Sumter)
Beale	Carlton	Esny	Sims
Bedsole	Carmichael	Kelly	Smith (Coosa)
Butler	Cowan	McDowell	Smith (Lawrence)

—16

Nays:

Messrs:

Craft	Harper	Moore	Tally
Evins	Huddleston	Morris	West
Gunter	Miller	Prestwood	

—11

PAIR ANNOUNCED.

Mr. Gunter announced that he and Mr. Butler were paired on this vote; that Mr. Butler, if present, would vote "yea" and he, Mr. Gunter, would vote "nay."

Mr. Prestwood offered the following amendment to said bill:

Amend article 1, of H. 583, by striking therefrom section 700, and inserting in lieu thereof the following:

700. County boards of health. How constituted.—There is hereby created for each county in the State of Alabama a county board of health to be composed of five members, two of whom shall be regularly licensed, practicing physicians of the county, who shall be elected by the medical society of the county, and two laymen of known business ability to be elected by the commissioners court or other governing body of the county, and one member to be elected by a majority vote of the four members so elected. Within thirty days after the approval of this act the county medical society of each county in the State and the commissioners court or other governing body of the county shall call a meeting, and at such meeting shall elect two members of the county board of health as herein provided for, not later than ten days after their election the four members thus elected shall hold a meeting and shall by a majority vote of those present, three constituting a quorum, elect the fifth member as provided herein. At this meeting, and after the fifth member is thus elected, the board shall proceed to organize by electing one of its members president, and one member secretary. The county board of health of each county shall hold two regular meetings

each year, one meeting on the second Tuesday in November, and one on the second Tuesday in April, of each year, and each regular meeting shall be held at the court house of the respective counties. The chairman may call special meetings of the county board at such times and places in the county as the interests of the public health may require. The county board of health thus constituted shall, subject to the rules and regulations promulgated by the State board of health, have and exercise, through a county health officer as hereinafter provided for, general control and supervision of all matters pertaining to the enforcement of the health and quarantine laws of the county, and shall in every way seek, by advising with and consulting the county, town, city, and school authorities, and by co-operation with the county medical society, the members of the medical profession, county and city officials, and by co-operation with the State health officer, to advance, develop and promote public sentiment for and in support of public health and public sanitation, and to this end the county board may make such reasonable rules and regulations, not inconsistent with the general laws, and the rules and regulations made and promulgated by the State board of health, as in the opinion of the county board may be necessary to the proper enforcement of the laws of health, sanitation and quarantine of the county. Whenever a vacancy shall occur on said board caused by the death, resignation or removal of a member, such vacancy shall, if the vacancy is that of one or both of the two physician members elected by the medical society of the county, be filled by the county medical society electing a successor for the vacancy; if the vacancy be by the death, resignation or removal of a member, or members, who were elected by the commissioners court or other governing body of the county, such vacancy shall be filled by such body, and if such vacancy be caused by the death, resignation or removal of the member of said board elected by the four members, the vacancy shall be filled by the four remaining members; provided that the board shall always consist of not less than two physicians and three other members.

Mr. Carmichael moved to table the amendment of Mr. Prestwood, which motion prevailed and said amendment was laid on the table.

Yeas, 15; Nays, 8.

Yeas:

Messrs:

Acker

Beale

Brown

Caffey

Carlton

Carmichael

Cowan

Ellis

Espy

Kelly

McDowell

Rogers (Sumter)

Sims

Smith (Coosa)

Smith (Lawrence)

—15

Nays:

Messrs:

Evins
Harper

Miller
Moore

Morris
Prestwood

Tally
West

—8

Mr. Gunter offered the following amendment to said bill:

Amend article 1, by adding thereto, right after section 700 of said article, the following section, to be designated 700½:

700½. County health officer. How chosen.—The commissioners court or other governing body of every county in this State may in its discretion and subject to the approval of the county board of health elect a county health officer who shall be a practicing physician, resident in the county, of good moral character and professional learning, and who shall devote all or such part of his time as may be prescribed by the said commissioners court or other governing body of said county to the duties of his office, and fix his term of office, and his compensation. Such health officer, before entering upon the performance of his duties, shall take the prescribed and usual constitutional oath, and shall enter into bond payable to the county in the sum of three thousand dollars, and conditioned for the faithful performance of his duties as such officer; the surety on such bond shall be a surety company qualified to do business in this State. The jurisdiction of said officer shall extend to all parts of the county, except those incorporated municipalities thereof which have a population of more than thirty thousand inhabitants according to the last or any subsequent Federal census. Should said health officer so elected neglect or fail to faithfully perform any of the duties which are lawfully prescribed for him; it shall be the duty of the executive officer of the county board of health, subject to the approval of the commissioners court or other governing body of the county, to remove said county health officer from office. The governing body of every municipality in this State which now has or may hereafter have a population of as much as thirty thousand inhabitants, according to the last or any subsequent Federal census, shall, subject to the approval of the State board of health, elect a health officer of such municipality who shall devote all of his time to the duties of his office, and fix his term of office and his compensation, and should such municipal health officer neglect or fail to faithfully perform any of the duties which are lawfully prescribed for him, it shall be the duty of the executive officer of the State board of health, subject to the approval of the governing body of such municipality, to remove such health officer from office. The health officer appointed by a municipality as herein provided shall have jurisdiction within

the corporate limits and the police jurisdiction of the city by which he is appointed, and such health officer within such limits shall perform all the duties imposed by this act upon the county health officer, and shall possess all of the power and authority within such limits conferred by the provisions of this act upon the county health officer. In all cases where under the provisions of this act the county health officer exercises jurisdiction in municipalities of the county each such municipality shall pay that percentage of the salary of the said health officer as is equal to the percentage which the population of the said municipality is to the total population of the county. In the case of each county which prescribes that the health officer shall devote his entire time to the duties of his office, the State board of health, out of the moneys appropriated to it, shall pay five hundred dollars of the salary of such officer, the balance to be paid by the county and the several municipalities thereof in the proportions and as hereinabove provided, the payment for the services of the said health officer to be made by the counties and municipalities as in the case of other officers thereof, respectively. The salary of the municipal health officer herein provided for shall be fixed by the governing body of the municipality by which such officer has been appointed or elected, and shall be paid by such municipality as the salaries of its other officers are paid. Every such municipality shall provide a budget and make appropriations for public health work.

Amend Sec. 706, Art. 1, H. 583, so that the same will read as follows, down to subsection thereof:

706. Duties of county health officers.—The county health officer elected as herein provided, shall, under the direction of the State health officer and the county board of health, have sole direction of all sanitary and public health work within the county, including incorporated municipalities, except as otherwise provided herein, and shall employ for his assistants, subject to the approval of the court of county commissioners or other governing body of the county, such physicians, nurses, clerks, inspectors, and other employees as are found necessary to accomplish the work. The salary of the county health officer shall be fixed by the court of county commissioners or like board, and shall be paid as hereinabove provided. Each incorporated municipality in the county may, in its discretion, make special appropriations for public health work. All the assistants and employees of the county board of health shall be appointed by the county health officer, subject to the approval of the commissioners court or other governing body of the county. Employees whose functions are discharged solely in a municipality which

has a separate health officer shall be approved by the city commission or like governing body of said municipality, and not by the county boards of revenue or boards of like character. The county health officer shall have full and complete authority to remove from office any assistants or employees of the county board of health.

Mr. Carmichael moved to table this amendment, which motion prevailed and said amendment was laid on the table.

Mr. Gunter also offered the following amendment to said bill: Amend Sec. 710, Art. 1, H. 583, by striking therefrom the words "State committee of public health" wherever they appear in said section, and inserting in lieu thereof the following words: "State board of health."

Amend subdivision 12, Sec. 716, Art. 1, H. 583, so that the same will read as follows:

Subdivision 12. Syphilis, gonorrhoea, and chancroid, herein designated venereal diseases, are hereby recognized and declared to be contagious, infectious, communicable diseases, and dangerous to the public health. And it shall be unlawful for any person to treat or prescribe for any person having any such disease, except a licensed physician.

Amend subdivision 24, Sec. 716, Art. 1, H. 583, by striking therefrom said subdivision 24.

Amend subdivision 25, of Sec. 716, Art. 1, H. 583, by adding thereto the following:

"Provided, this shall not be construed to apply to a licensed physician dispensing drugs in the treatment of his patients."

Amend subdivision 27 of Sec. 716, Art. 1, H. 583, by striking therefrom said subdivision 27.

Mr. Carmichael moved to table said amendment, which motion prevailed and said amendment was laid on the table.

Mr. Morris offered the following amendment to said bill:

Amend Sub. Sec. 3 of Sec. 583 so as to read as follows:

"(3)—For the fiscal year beginning Oct. 1, 1919, the sum of fifty thousand dollars, and for the fiscal year beginning Oct. 1, 1920, the sum of sixty-two thousand five hundred dollars, and for the fiscal year beginning Oct. 1, 1921, the sum of seventy-five thousand dollars, and a like sum for each fiscal year thereafter, all such sums being payable in monthly installments."

Mr. Carmichael moved to table said amendment and the motion prevailed and the amendment was laid on the table.

Yeas, 14; Nays, 7.

Yeas:

Messrs:

Acker

Beale

Briscoe

Brown

Carlton	Espy	Rogers (Sumter)	Smith (Coosa)
Carmichael	Kelly	Sims	Smith (Lawrence)
Cowan	Moore		

—14

Nays:
Messrs:
 Craft Miller Prestwood West
 Harper Morris Tally

—7

PAIR ANNOUNCED.

Mr. Gunter announced that he and Mr. Butler were paired on this vote; that Mr. Butler, if present, would vote "yea" and he, Mr. Gunter, would vote "nay."

Mr. Morris also offered the following amendment to said bill: Amend Sec. 704 of H. 583, by striking out the words: "Five thousand" where they occur therein and insert in lieu thereof the words "thirty-six hundred."

Mr. Carmichael moved to table the amendment which motion prevailed and the amendment was laid on the table.

Mr. Morris also offered the following amendment:

Amend H., Section 707 (page 11) by striking out the words "In counties less than 40,000 inhabitants the salary shall not be less than 2,000.00 per annum" and insert in lieu thereof the words: "In counties less than 30,000 inhabitants the salary shall not be more than 1,500.00 per annum."

Mr. Carmichael moved to table the amendment, which motion prevailed and said amendment was laid on the table.

Mr. Tally offered the following amendment to said bill:

Amend bill H. 583, by adding the following to section 703, "Subdivision (5½) appropriated to be all sums paid or to be paid to the county health officer shall be in the discretion of the court of county commissioners or other governing body.

Mr. Carmichael moved to table the amendment, which motion prevailed and said amendment was laid on the table.

Yeas, 14; Nays, 8.

<i>Yeas:</i>			
<i>Messrs:</i>			
Acker	Carlton	Kelly	Sims
Beale	Carmichael	McDowell	Smith (Coosa)
Brown	Cowan	Rogers (Sumter)	Smith (Lawrence)
Caffey	Espy		

—14

<i>Nays:</i>			
<i>Messrs:</i>			
Craft	Miller	Morris	Tally
Harper	Moore	Prestwood	West

—8

PAIRS ANNOUNCED.

Mr. Bedsole announced that he and Mr. Huddleston were paired on this vote; that Mr. Huddleston, if present, would vote "nay" and he, Mr. Bedsole, would vote "yea."

Mr. Gunter announced that he and Mr. Butler were paired on this vote; that Mr. Butler if present, would vote "yea" and he, Mr. Gunter, would vote "nay."

Said bill was then read a third time at length and passed.

Yeas, 15; Nays, 7.

Yeas:

Messrs:

Acker	Caffey	Espy	Sims
Beale	Carlton	Kelly	Smith (Coosa)
Briscoe	Carmichael	Moore	Smith (Lawrence)
Brown	Cowan	McDowell	—15

Nays:

Messrs:

Craft	Miller	Prestwood	West
Harper	Morris	Tally	—7

PAIRS ANNOUNCED.

Mr. Bedsole announced that he and Mr. Huddleston were paired on this vote; that Mr. Huddleston, if present, would vote "nay," and he, Mr. Bedsole, would vote "yea."

Mr. Gunter announced that he and Mr. Butler were paired on this vote; that Mr. Butler, if present, would vote "yea" and he, Mr. Gunter, would vote "nay."

Mr. Phillips announced that he and Mr. Nance were paired on this vote; that Mr. Nance, if present, would vote "nay" and he, Mr. Phillips, would vote "yea."

Mr. Rogers of Sumter announced that he and Mr. Leith were paired on this vote; that Mr. Leith, if present, would vote "nay" and he, Mr. Rogers of Sumter, would vote "yea."

REPORT FROM COMMITTEE ON ENROLLED BILLS.

Mr. President:

Your Standing Committee on Enrolled Bills beg leave to report that said committee, in session, have compared the following enrolled bills with the engrossed and original bills, respectively, and find same correctly enrolled, to-wit:

S. 414. To provide for the reading of the Holy Bible in the schools in Alabama that are supported in part or in whole by public funds and to provide for the enforcement of the same.

S. 531. To prescribe the various classes of stock that may be issued by corporations, to declare the rights, powers and limitations of the holders of the same, and to prescribe the methods of authorizing the issue thereof, and to provide a remedy against any unauthorized or illegal issue thereof heretofore or hereafter made, and a statute of limitations barring that or any other remedy against the same.

S. 105. To appropriate the further sum of seventy-five hundred (\$7,500.00) dollars, or so much thereof as may be necessary, to pay for the transportation of troops of the Alabama National Guard that were heretofore and prior to September 29th, 1915, transported by railroad common carriers on the request or order of the governor or adjutant general of Alabama, reimbursement for which on account of the deficiency of the appropriation for that purpose as heretofore made by the act, approved September 29th, 1915, entitled, "An act to appropriate the sum of seven thousand four hundred and fifty-six and seven one-hundredths (\$7,456.07) dollars to pay for the transportation of troops of the Alabama National Guard heretofore transported by railroad common carriers on the request or order of the governor or adjutant general," has not been made in full to said carriers.

S. 738. To make an appropriation to the public schools.

S. 247. To establish a child welfare department for the State of Alabama, to prescribe its duties, functions and powers, to provide for the appointment of an executive and other officers of such department, to define their duties, to provide for their compensation, and to provide for the maintenance and other expenses of such department and confer on said department all the duties, powers and authority heretofore conferred on the State prison inspector so far as his duties, powers, and authority relate to children under 16 years of age.

Chas. McDowell, Jr.,
Chairman.

SIGNING OF BILLS.

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the following bills:

S. 414. To provide for the reading of the Holy Bible in the schools in Alabama that are supported in part or in whole by public funds and to provide for the enforcement of the same.

S. 531. To prescribe the various classes of stock that may be issued by corporations, to declare the rights, powers and limita-

tions of the holders of the same, and to prescribe the methods of authorizing the issue thereof, and to provide a remedy against any unauthorized or illegal issue thereof heretofore or hereafter made, and a statute of limitations barring that or any other remedy against the same.

S. 105. To appropriate the further sum of seventy-five hundred (\$7,500.00) dollars, or so much thereof as may be necessary, to pay for the transportation of troops of the Alabama National Guard that were heretofore and prior to September 29th, 1915, transported by railroad common carriers on the request or order of the governor or adjutant general of Alabama, reimbursement for which on account of the deficiency of the appropriation for that purpose as heretofore made by the act, approved September 29th, 1915, entitled, "An act, to appropriate the sum of seven thousand four hundred and fifty-six and seven one hundredths (\$7,456.07) dollars to pay for the transportation of troops of the Alabama National Guard heretofore transported by railroad common carriers on the request or order of the governor or adjutant general," has not been made in full to said carriers.

S. 738. To make an appropriation to the public schools.

S. 247. To establish a child welfare department for the State of Alabama, to prescribe its duties, functions and powers, to provide for the appointment of an executive and other officers of such department, to define their duties, to provide for their compensation, and to provide for the maintenance and other expenses of such department and confer on said department all the duties, powers and authority heretofore conferred on the State prison inspector so far as his duties, powers, and authority relate to children under 16 years of age.

MESSAGE FROM THE HOUSE.

Mr. President:

The Speaker having signed the following House bills your signature thereto is requested:

H. 748. To amend section two of an act entitled "An act to authorize the holding of elections by municipal corporations in the State of Alabama, for the purpose of obtaining authority to issue bonds, for public purposes herein defined, and to provide for holding such elections, and declaring the result thereof, and to authorize the issue of such bonds when a majority of the voters participating in such elections vote in favor of the issue of such bonds, and regulate the issue, execution, sale and security of such bonds," approved August 26, 1909, as amended by an act approved February 20, 1915.

Also:

H. 884. To fix the compensation of circuit solicitors in all circuits of the State of Alabama which are now composed, or which may hereafter be composed of only one county and having two judges.

Also:

H. 801. To amend section 1 of an act entitled an act to designate certain public roads in the State of Alabama as State trunk roads and provide the manner in which such roads shall be located, improved and maintained, approved September 10th, 1915.

Also:

H. 204. To authorize counties, through their county commissioners, boards of revenue or other governing bodies, to adopt a budget system and to make appropriations to meet expenses thereunder; to issue certificates when requested to holders of claims which have been passed and allowed prior to the approval of this bill bearing interest, and providing for the payment of said claims.

Also:

H. 899. To amend section one of an act entitled an act to establish a charter for the town of Gordo, Pickens county, approved December 7th, 1900.

Also:

H. 926. To provide for the election of a county treasurer by the qualified electors of every county in this State, now having or which may hereafter have a population according to the last Federal census, or any Federal census hereafter taken, of not less than thirty thousand nine hundred and thirty-five, nor more than thirty thousand nine hundred and eighty.

Also:

H. 806. To authorize the court of county commissioners, the board of revenue and road commissioners, or like body, in each county in this State to provide telephones for the offices of clerks and registers of the circuit court, the office of the sheriff, and the office of the jailer and judge of probate, in their respective counties."

Also:

H. 880. To provide for the construction, maintenance and control of the public roads and bridges of all counties in the State of Alabama having a population of not less than 27,155 and not more than 27,200, by the last, or any subsequent Federal census; to further define the duties of the courts of county commissioners, or like governing bodies, of all such counties; to provide for the levy and collection of a vehicle license tax; to provide for the levy and collection of a per capita road tax in commutation of

road duty; and to regulate the performance of road duty in such counties by the citizens thereof.

Also:

H. 936. To amend section 1 of an act entitled an act "To designate certain public roads of the State of Alabama as State trunk roads and to provide the manner in which such roads shall be located, improved and maintained," approved September 10, 1915.

Also:

H. 766. To regulate the manufacture, sale, offering for sale, and other disposition of insecticides and fungicides in the State of Alabama and to provide means and penalties therefor and to provide disposition of funds arising therefrom.

Also:

H. 1067. To establish a board of revenue for Madison county, and to abolish the court of county commissioners thereof, and to provide for the better working of the public roads of said county.

Also:

H. 561. To authorize the attorney general to direct the solicitor of certain circuits to perform the duties of solicitor of the nineteenth judicial circuit.

Also:

H. 560. To further prescribe the duties of the supernumerary judge of Alabama.

Also:

H. 852. To authorize the commissioners' court of Conecuh county, Alabama, to pay out of the general fund of said county to the tax assessor of said county, the sum of six hundred dollars per annum for extra assistance in his said office.

Also:

H. 690. To amend an act entitled an act to require the bodies of all dead animals to be burned or buried and to provide a penalty for the failure to do so, approved Sept. 22, 1915.

Also:

H. 820. For the relief of R. H. Hudson of Robinson Springs, Alabama, and to appropriate and pay to him the sum of \$110.65.

Also:

H. 763. To authorize the payment of all fees of solicitors in misdemeanor cases in certain counties into the county treasury for the use of the county.

Also:

H. 33. To amend section 3310 of the Code of Alabama of 1907.

Also:

H. 471. For the relief of Rev. J. E. Deer, of Escambia county, Alabama.

Also:

H. 1041. To vacate and annul the street or alley in the town of Livingston, Alabama, leading from the Wetmore Lane, near the residence of Marcellus Speight, by the residence formerly owned by Mrs. Matilda Greene, and intersecting with the street leading from the Livingston and Gainesville road, to the Hopkins place, also the street or alley leading from the Livingston and Gainesville road in the direction of the colored Baptist church, and lying between the campus of the Alabama normal college and the property formerly owned by Miss Julia Tutwiler, and known as the "Twin Gables."

Also:

H. 365. To ratify, confirm and legalize an election held in Coosa county, Alabama, on the 7th day of November, 1916, to determine the question whether or not the work of tick eradication shall be taken up in Coosa county under the State live stock sanitary board as provided by law, and to ratify, confirm and legalize the notice or proclamation issued by the live stock sanitary board of Alabama declaring in effect the regulations adopted by the live stock sanitary board of Alabama, in the county of Coosa, and to declare in full effect all the regulations adopted by the live stock sanitary board of Alabama, in said county of Coosa, in the State of Alabama, together with the laws of the State pertaining to the same.

Also:

H. 777. To provide for the more efficient construction and maintenance of the public roads and bridges of Crenshaw county, Alabama; to provide for raising revenue for the same; to levy a vehicle license tax on automobiles, motor trucks and all motor vehicles owned and operated by citizens of Crenshaw county, Alabama; to prescribe the duties of the tax assessor and tax collector of said county under this act; to provide penalties and punishment for the violation of this act, and to repeal conflicting laws.

Also:

H. 1030. To prescribe and regulate the payment of certain claims registered against the fine and forfeiture funds of St. Clair county, when there are such funds in the hands of the county treasurer or any bank or individual who are discharging the duties of county treasurer and to give notice to such persons there are funds in the hands of such treasurer for the payment of claims by publication in county newspaper for two weeks.

Also:

H. 771. To create for the county of Conecuh and State of Alabama the office of county solicitor and to provide for his election by the qualified electors of said county; to prescribe his qualifications and duties, and to fix his compensation as such officer and how the same shall be paid; and to provide for the length of time which he shall hold office.

Also:

H. 607. To create and designate an additional State trunk road No. 5 to extend from Fort Payne, Alabama, to Scottsboro, Alabama, and confer upon said road all of the rights and privileges now extended to trunk roads in this State.

Also:

H. 450. To amend section 3610 of the Code.

Also:

H. 98. To submit to the qualified voters of Alabama, at a special election to be held ninety days after the final adjournment of the Legislature of Alabama and upon the call of the governor, for their consideration an amendment to the Constitution of Alabama in substance and to the effect that certain persons who served in the military or naval service of the United States for a period of not less than four months between January 1, 1917, and November 11, 1918, shall be exempted from the payment of all poll taxes until September 30, 1923.

H. 730. To require the members of the commissioners court of Crenshaw county, Alabama, to execute bond for the faithful performance of their official duties.

Also:

H. 323. To provide for the establishment, discontinuance, construction, use, working and maintenance of the public roads and bridges of Lamar county, Alabama. To define the duties and powers of the court of county commissioners of Lamar county with regard to same, and to fix penalties for violation of the rules and regulations of the public road law of Lamar county and the State of Alabama.

Fred H. Gormley,
Clerk.

SIGNING OF BILLS.

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the following bills:

H. 748. To amend section two of an act entitled "An act to authorize the holding of elections by municipal corporations in

the State of Alabama, for the purpose of obtaining authority to issue bonds, for public purposes herein defined, and to provide for holding such elections, and declaring the result thereof, and to authorize the issue of such bonds when a majority of the voters participating in such elections vote in favor of the issue of such bonds, and regulate the issue, execution, sale and security of such bonds," approved August 26, 1909, as amended by an act approved February 20, 1915.

H. 884. To fix the compensation of circuit solicitors in all circuits of the State of Alabama which are now composed, or which may hereafter be composed of only one county and having two judges.

H. 801. To amend section 1 of an act entitled an act to designate certain public roads in the State of Alabama as State trunk roads and provide the manner in which such roads shall be located, improved and maintained, approved September 10th, 1915.

H. 204. To authorize counties, through their county commissioners, boards of revenue or other governing bodies, to adopt a budget system and to make appropriations to meet expenses thereunder; to issue certificates when requested to holders of claims which have been passed and allowed prior to the approval of this bill bearing interest, and providing for the payment of said claims.

H. 899. To amend section one of an act entitled an act to establish a charter for the town of Gordo, Pickens county, approved December 7th, 1900.

H. 926. To provide for the election of a county treasurer by the qualified electors of every county in this State, now having or which may hereafter have a population according to the last Federal census, or any Federal census hereafter taken, of not less than thirty thousand nine hundred and thirty-five, nor more than thirty thousand nine hundred and eighty.

H. 806. To authorize the court of county commissioners, the board of revenue and road commissioners, or like body, in each county in this State to provide telephones for the offices of clerks and registers of the circuit court, the office of the sheriff, and the office of the jailer and judge of probate, in their respective counties."

H. 880. To provide for the construction, maintenance and control of the public roads and bridges of all counties in the State of Alabama having a population of not less than 27,155, and not more than 27,200, by the last or any subsequent Federal census; to further define the duties of the courts of county commissioners, or like governing bodies, of all such counties; to provide for the levy and collection of a vehicle license tax; to provide for

the levy and collection of a per capita road tax in commutation of road duty; and to regulate the performance of road duty in such counties by the citizens thereof.

H. 936. To amend section 1 of an act entitled an act "To designate certain public roads of the State of Alabama as State trunk roads and to provide the manner in which such roads shall be located, improved and maintained," approved September 10, 1915.

H. 766. To regulate the manufacture, sale, offering for sale, and other disposition of insecticides and fungicides in the State of Alabama and to provide means and penalties therefor and to provide disposition of funds arising therefrom.

H. 1067. To establish a board of revenue for Madison county, and to abolish the court of county commissioners thereof, and to provide for the better working of the public roads of said county.

H. 561. To authorize the attorney general to direct the solicitor of certain circuits to perform the duties of solicitor of the nineteenth judicial circuit.

H. 560. To further prescribe the duties of the supernumerary judge of Alabama.

H. 852. To authorize the commissioners' court of Conecuh county, Alabama, to pay out of the general fund of said county to the tax assessor of said county, the sum of six hundred dollars per annum for extra assistance in his said office.

H. 690. To amend an act entitled an act to require the bodies of all dead animals to be burned or buried and to provide a penalty for the failure to do so, approved Sept. 22, 1915.

H. 820. For the relief of R. H. Hudson of Robinson Springs, Alabama, and to appropriate and pay to him the sum of \$110.65.

H. 763. To authorize the payment of all fees of solicitors in misdemeanor cases in certain counties into the county treasury for the use of the county.

H. 33. To amend section 3310 of the Code of Alabama of 1907.

H. 471. For the relief of Rev. J. E. Deer, of Escambia county, Alabama.

H. 1041. To vacate and annul the street or alley in the town of Livingston, Alabama, leading from the Wetmore Lane, near the residence of Marcellus Speight, by the residence formally owned by Mrs. Matilda Greene, and intersecting with the street leading from the Livingston and Gainesville road, to the Hopkins place, also the street or alley leading from the Livingston and Gainesville road in the direction of the colored Baptist church, and lying between the campus of the Alabama Normal College and the property formally owned by Miss Julia Tutwiler, and known as the "Twin Gables."

H. 365. To ratify, confirm and legalize an election held in Coosa county, Alabama, on the 7th day of November, 1916, to determine the question whether or not the work of tick eradication shall be taken up in Coosa county under the State live stock sanitary board as provided by law, and to ratify, confirm and legalize the notice or proclamation issued by the live stock sanitary board of Alabama declaring in effect the regulations adopted by the live stock sanitary board of Alabama, in the county of Coosa, and to declare in full effect all the regulations adopted by the live stock sanitary board of Alabama, in said county of Coosa, in the State of Alabama, together with the laws of the State pertaining to the same.

H. 777. To provide for the more efficient construction and maintenance of the public roads and bridges of Crenshaw county, Alabama; to provide for raising revenue for the same; to levy a vehicle license tax on automobiles, motor trucks and all motor vehicles owned and operated by citizens of Crenshaw county, Alabama; to prescribe the duties of the tax assessor and tax collector of said county under this act; to provide penalties and punishment for the violation of this act, and to repeal conflicting laws.

H. 1030. To prescribe and regulate the payment of certain claims registered against the fine and forfeiture funds of St. Clair county, when there are such funds in the hands of the county treasurer or any bank or individual who are discharging the duties of county treasurer and to give notice to such persons there are funds in the hands of such treasurer for the payment of claims by publication in county newspaper for two weeks.

H. 771. To create for the county of Conecuh and State of Alabama the office of county solicitor and to provide for his election by the qualified electors of said county; to prescribe his qualifications and duties, and to fix his compensation as such officer and how the same shall be paid; and to provide for the length of time which he shall hold office.

H. 607. To create and designate an additional State trunk road No. 5 to extend from Fort Payne, Alabama, to Scottsboro, Alabama, and confer upon said road all of the rights and privileges now extended to trunk roads in this State.

H. 450. To amend section 3610 of the Code.

H. 98. To submit to the qualified voters of Alabama, at a special election to be held ninety days after the final adjournment of the Legislature of Alabama and upon the call of the governor, for their consideration an amendment to the Constitution of Alabama in substance and to the effect that certain persons

who served in the military or naval service of the United States for a period of not less than four months between January 1, 1917, and November 11, 1918, shall be exempted from the payment of all poll taxes until September 30, 1923.

H. 730. To require the members of the commissioners court of Crenshaw county, Alabama, to execute bond for the faithful performance of their official duties.

H. 323. To provide for the establishment, discontinuance, construction, use, working and maintenance of the public roads and bridges of Lamar county, Alabama. To define the duties and powers of the court of county commissioners of Lamar county with regard to same, and to fix penalties for violation of the rules and regulations of the public road law of Lamar county and the State of Alabama.

RECESS.

On motion of Mr. Acker, the Senate at 7 o'clock P. M., took a recess until 8:30 to-night.

NIGHT SESSION—FORTY-NINTH DAY.

Thursday, September 25, 1919.

The Senate re-assembled at 8:30 P. M., Lieutenant Governor Miller, presiding.

ROLL CALL.

On a call of the roll, 24 Senators answered to their names, a quorum of the Senate.

MESSAGE FROM THE HOUSE.

Mr. President:

The House accedes to the request of the Senate for the return of the bill:

H. 974. To further provide for the prevention and suppression of diseases and parasites among cattle, horses, mules, asses and hogs, such as hog cholera, glanders, cattle fever tick, foot and mouth disease, and other infectious and communicable diseases and parasites by requiring all railroad cars in which animals are transported in Alabama from points within the quarantined area as defined by the United States department of agriculture or by the State live stock sanitary board, to be cleaned and disinfected.

And in compliance with said request the bill is returned herewith.

Fred H. Gormley,
Clerk.

HOUSE MESSAGE.

Mr. Carmichael moved that the vote by which House bill No. 974, the title of which is set out in the foregoing message from the House, was passed by the Senate, be re-considered, which motion prevailed, and said vote was reconsidered. Mr. Carmichael then moved that the vote by which the said bill was ordered to its engrossment and third reading be reconsidered, which motion prevailed and said vote was reconsidered. And Mr. Carmichael also moved that the vote by which the amendment to said bill was adopted by the Senate, be reconsidered, which motion prevailed and said vote was reconsidered.

Mr. Carmichael then moved that the amendment be laid on the table, which motion prevailed and said amendment was laid on the table.

Said bill was again read a third time at length and passed.

Yeas, 20; Nays, 0.

Yeas:

Messrs:

Acker	Carlton	Gunter	Phillips
Beale	Carmichael	Harper	Sims
Bedsole	Cowan	Kelly	Smith (Coosa)
Briscoe	Craft	Miller	Tally
Brown	Espy	Morris	West

—20

Nays:—None.

MESSAGE FROM THE GOVERNOR.

September 25, 1919.

In re S. 523.

Gentlemen of the Senate:

I herewith return without my approval Senate bill No. 523, to be entitled "An act to authorize divorce for abandonment whenever a party who has deserted his or her consort for more than ten months fail to return to the performance of his or her marriage obligations within sixty days after notice."

The existing statutory provisions for procuring divorces in this State have stood the test of experience and have become so embedded in practice as to constitute a material element of the moral and religious standards of the people. In my judgment it is not wise—indeed, it would be contrary to sound public policy to depart as far from these standards as this bill provides. We should not emulate in any degree the example of other states which make divorces easy.

Though reluctant to do so, I am forced by the consideration above stated to veto this bill.

Respectfully,
Thos. E. Kilby,
Governor.

GOVERNOR'S MESSAGE.

On motion of Mr. Carmichael, the Senate refused to reconsider and pass

S. 523. To authorize divorce for abandonment whenever a party, who has deserted his or her consort for more than ten months, fails to return to the performance of his or her marital obligations within sixty days after notice.

The governor's veto to the contrary notwithstanding.

Yeas, 0; Nays, 20.

Yeas:—None.

Nays:

Messrs:

Acker	Carlton	Gunter	Phillips
Beale	Carmichael	Harper	Sims
Bedsole	Cowan	Kelly	Smith (Coosa)
Briscoe	Craft	Miller	Tally
Brown	Espy	Morris	West

—20

BILLS ON THIRD READING.

The bill:

H. 878. To amend section 211 of the Code of Alabama down through subdivisions 1 and 2 thereof.

Was read a third time at length and passed.

Yeas, 19; Nays, 0.

Yeas:

Messrs:

Beale	Cowan	Huddleston	Prestwood
Bedsole	Craft	Kelly	Rogers (Lauderdale)
Brown	Ellis	Miller	Smith (Coosa)
Caffey	Espy	McDowell	West
Carmichael	Harper	Phillips	

—19

Nays:—None.

The bill:

H. 911. To make an appropriation for the control and eradication of tuberculosis, hog cholera and all other infectious and contagious animal diseases and the materials or things that may spread or carry the cause of such diseases of live stock.

Was read a third time at length and passed.

Yeas, 25; Nays, 0.

Yeas:

Messrs:

Acker	Cowan	Harper	Rogers (Lauderdale)
Beale	Craft	Kelly	Rogers (Sumter)
Briscoe	Ellis	Miller	Smith (Coosa)
Brown	Espy	Moore	Smith (Lawrence)
Caffey	Griffith	McDowell	Tally
Carlton	Gunter	Phillips	West
Carmichael			

—25

Nays:—None.

The bill:

H. 432. Defining as the exercise of due diligence the forwarding of a check direct to payer.

Was read a third time at length and passed.

Yeas, 21; Nays, 0.

Yeas:

Messrs:

Acker	Cowan	Harper	Rogers (Lauderdale)
Beale	Craft	Kelly	Rogers (Sumter)
Briscoe	Ellis	Moore	Smith (Lawrence)
Caffey	Espy	McDowell	Tally
Carlton	Gunter	Phillips	West
Carmichael			

—21

Nays:—None.

The bill:

H. 939. To confer additional criminal jurisdiction on inferior courts or courts established in lieu of justices of the peace by whatsoever name called, on which courts criminal jurisdiction is now by law conferred, in counties having a population of over one hundred and fifty thousand, according to the last or any subsequent Federal census.

Was read a third time at length and passed.

Yeas, 21; Nays, 0.

Yeas:

Messrs:

Acker	Cowan	Harper	Rogers (Lauderdale)
Beale	Craft	Kelly	Rogers (Sumter)
Briscoe	Ellis	Moore	Smith (Lawrence)
Caffey	Espy	McDowell	Tally
Carlton	Gunter	Phillips	West
Carmichael			

—21

Nays:—None.

The bill:

H. 228. To authorize courts of county commissioners or boards of revenue of any county, in which the State or Federal

authorities shall take or have taken up the work of farm demonstration or the organization of farm life clubs, to appropriate funds for aiding in such work.

Was read a third time at length and passed.

Yeas, 21; Nays, 0.

Yeas:

Messrs:

Beale	Craft	Huddleston	Phillips
Bedsole	Ellis	Kelly	Prestwood
Brown	Espy	Miller	Rogers (Lauderdale)
Caffey	Evins	Moore	Smith (Coosa)
Carmichael	Harper	McDowell	West
Cowan			

—21

Nays:—None.

The bill:

H. 368. To make an appropriation for the support and maintenance of the Alabama Tuberculosis Commission, created and incorporated under and by virtue of a certain act of the Legislature of Alabama, and approved September 22, 1915, entitled: An act to prevent the spread of tuberculosis by the creation of a tuberculosis commission, to provide for its organization and work and to authorize the erection and maintenance of local hospitals under its supervision.

Was taken up.

Mr. Acker offered the following amendment to said bill:

Amend H. 368 by striking out the words \$9,000 wherever they appear and substituting the words \$6,000.

Which was adopted.

Yeas, 25; Nays, 0.

Yeas:

Messrs:

Acker	Carmichael	Gunter	Phillips
Beale	Cowan	Harper	Rogers (Lauderdale)
Bedsole	Craft	Kelly	Rogers (Sumter)
Briscoe	Ellis	Miller	Smith (Lawrence)
Brown	Espy	Moore	Tally
Caffey	Evins	McDowell	West
Carlton			

—25

Nays:—None.

And said bill, as thus amended, was read a third time at length and passed.

Yeas, 25; Nays, 0.

Yeas:

Messrs:

Acker	Carmichael	Gunter	Phillips
Beale	Cowan	Harper	Rogers (Lauderdale)
Bedsole	Craft	Kelly	Rogers (Sumter)
Briscoe	Ellis	Miller	Smith (Lawrence)
Brown	Espy	Moore	Tally
Caffey	Evins	McDowell	West
Carlton			

—25

Nays:—None.

The bill:

H. 380. To regulate the taking of non suits in suits at law in all the courts of the State of Alabama.

Was read a third time at length and passed.

Yeas, 21; Nays, 0.

Yeas:

Messrs:

Beale	Craft	Huddleston	Phillips
Bedsole	Ellis	Kelly	Prestwood
Brown	Espy	Miller	Rogers (Lauderdale)
Caffey	Evins	Moore	Smith (Coosa)
Carmichael	Harper	McDowell	West
Cowan			

—21

Nays:—None.

The bill:

H. 694. To repeal insofar as it relates to Crenshaw county an act entitled "An act to require all fees collected by sections 6655 and 6656 of the Code, in the county court to be paid into the county treasury; to provide a fund out of which the judge of the county court shall be paid, and to fix the amount of such salaries." Approved Sept. 18, 1915.

Was read a third time at length and passed.

Yeas, 21; Nays, 0.

Yeas:

Messrs:

Acker	Cowan	Harper	Phillips
Beale	Craft	Huddleston	Prestwood
Bedsole	Ellis	Kelly	Rogers (Lauderdale)
Brown	Espy	Miller	Smith (Coosa)
Caffey	Evins	McDowell	West
Carmichael			

—21

Nays:—None.

The bill:

H. 636. To repeal an act entitled "An act to provide for the better working of the public roads of Crenshaw county, Alabama, approved March 4, 1903.

Was read a third time at length and passed.
Yeas, 21; Nays, 0.

Yeas:

Messrs:

Acker	Carmichael	Evins	Morris
Beale	Cowan	Gunter	Phillips
Bedsole	Craft	Harper	Rogers (Sumter)
Briscoe	Ellis	Kelly	Smith (Coosa)
Brown	Espy	Miller	Tally
Carlton			

—21

Nays:—None.

The bill:

H. 1059. To designate the public road from Chancellors Ferry and running in a northerly direction to Creswell Church, and on by way of Vincent, Sterrett, Vandiver, Dunnovant, intersecting the main highway of Jefferson county, near Leeds, Alabama, as a State trunk road.

Was read a third time at length and passed.

Yeas, 21; Nays, 0.

Yeas:

Messrs:

Acker	Cowan	Harper	Rogers (Lauderdale)
Beale	Craft	Kelly	Rogers (Sumter)
Briscoe	Ellis	Moore	Smith (Lawrence)
Caffey	Espy	McDowell	Tally
Carlton	Gunter	Phillips	West
Carmichael			

—21

Nays:—None.

The bill:

H. 577. To further prescribe the qualifications and duties of directors of banks and trust companies doing a banking business in this State.

Was read a third time at length and passed.

Yeas, 21; Nays, 0.

Yeas:

Messrs:

Acker	Craft	Kelly	Sims
Beale	Espy	Miller	Smith (Coosa)
Briscoe	Evins	Morris	Smith (Lawrence)
Brown	Harper	Prestwood	Tally
Carlton	Huddleston	Rogers (Lauderdale)	West
Carmichael			

—21

Nays:—None.

The bill:

H. 727. To make an appropriation for certain fencing required for the Confederate Soldiers' Home at or near Mountain Creek.

Was taken up:

Mr. Smith of Coosa offered the following amendment to said bill:

Amend said bill by striking out the House amendment which reads as follows:

"Amend section 1 of H. 727 by inserting "one hundred and twenty-five" in lieu of "four hundred" in first line of said section."

And insert in lieu thereof "four hundred dollars" in the first line.

Which was adopted.

Yeas, 24; Nays, 0.

Yeas:

Messrs:

Acker	Carmichael	Huddleston	Rogers (Lauderdale)
Beale	Craft	Kelly	Sims
Briscoe	Ellis	Miller	Smith (Coosa)
Brown	Espy	Morris	Smith (Lawrence)
Caffey	Evins	Phillips	Tally
Carlton	Harper	Prestwood	West

—24

Nays:—None.

And said bill, as thus amended, was read a third time at length and passed.

Yeas, 24; Nays, 0.

Yeas:

Messrs:

Acker	Carmichael	Huddleston	Rogers (Lauderdale)
Beale	Craft	Kelly	Sims
Briscoe	Ellis	Miller	Smith (Coosa)
Brown	Espy	Morris	Smith (Lawrence)
Caffey	Evins	Phillips	Tally
Carlton	Harper	Prestwood	West

—24

Nays:—None.

The bill:

H. 765. To amend sections 1632 and 1636 of the Code of Alabama, 1907.

Was read a third time at length and passed.

Yeas, 21; Nays, 0.

Yeas:

Messrs:

Acker	Cowan	Harper	Rogers (Lauderdale)
Beale	Craft	Kelly	Sims
Briscoe	Espy	Miller	Smith (Coosa)
Brown	Evins	Morris	Tally
Carlton	Gunter	Phillips	West
Carmichael			

—21

Nays:—None.

The bill:

H. 866. To provide for the election of members of the commissioners court of Crenshaw county, and to fix their term of office.

Was read a third time at length and passed.

Yeas, 21; Nays, 0.

Yeas:

Messrs:

Acker	Carmichael	Gunter	Phillips
Beale	Cowan	Harper	Rogers (Sumter)
Bedsole	Craft	Kelly	Smith (Coosa)
Briscoe	Espy	Miller	Tally
Brown	Evins	Morris	West
Carlton			

—21

Nays:—None.

The bill:

H. 646. To close, vacate and annul the alley which runs from Winkler avenue, eastward through Block F, according to the map and survey of the South Highlands Land Company, recorded in the office of the judge of probate of Jefferson county, in Map Book seven, at page three.

Was read a third time at length and passed.

Yeas, 20; Nays, 0.

Yeas:

Messrs:

Acker	Craft	Kelly	Sims
Beale	Espy	Miller	Smith (Coosa)
Briscoe	Evins	Morris	Smith (Lawrence)
Carlton	Harper	Prestwood	Tally
Carmichael	Huddleston	Rogers (Lauderdale)	West

—20

Nays:—None.

The bill:

H. 938. To require the payment to State convicts, upon their lawful discharge from penal servitude, of additional cash allowances adequate to their needs:

Was read a third time at length and passed.

Yeas, 20; Nays, 0.

Yeas:

Messrs:

Acker	Craft	Kelly	Sims
Beale	Espy	Miller	Smith (Coosa)
Briscoe	Evins	Morris	Smith (Lawrence)
Carlton	Harper	Prestwood	Tally
Carmichael	Huddleston	Rogers (Lauderdale)	West

—20

Nays:—None.

The bill:

H. 1040. To authorize and direct the sheriffs of all counties having a population of not less than 26,940 nor more than 27,000, according to the last Federal census or any subsequent census, to employ a janitor or deputy to keep the jail and grounds of said jails in a cleanly and sanitary condition; and to authorize and direct the boards of revenue or commissioners courts of said counties to pay the monthly salaries of said janitors or deputies by warrants issued therefor by the said boards of revenue or like governing bodies.

Was read a third time at length and passed.

Yeas, 20; Nays, 0.

Yeas:

Messrs:

Beale	Cowan	Huddleston	Phillips
Bedsole	Craft	Kelly	Prestwood
Brown	Ellis	Miller	Rogers (Lauderdale)
Caffey	Espy	Morris	Smith (Coosa)
Carmichael	Harper	McDowell	West

—20

Nays:—None.

The bill:

H. 827. To vacate the dedication of all streets, avenues, and alleys, public highways and public passage ways, into, through, over, on, or across the following described property situated in the city of Birmingham, and State of Alabama: Beginning at the southeast (SE) corner of Thirty-second (32nd) street and First (1st) avenue, north; thence running southwardly along said street four hundred and fifteen (415) feet to the common railroad right of way, that is, a line running parallel with and eighty-five (85) feet northward of the center of the Alabama Great Southern Railroad; thence eastward along said right of way about thirty-four hundred (3,400) feet to the limits of the property formerly belonging to the Elyton Land Company, that is, the east side of section thirty (30), township seventeen (17) range two (2) west; thence north along the said section line

about three hundred feet more or less to a point one hundred and eighty-eight (188) feet south of the center of the east side of said section thirty (30); thence west three hundred and eighty (380) feet to the south side of said First (1st) avenue; thence westward along the said avenue about thirty-two hundred and fifteen (3,215) feet to the point of beginning; and also a right of way which lies east of Thirty-second (32nd) street, and which is more particularly described as follows, to-wit, a strip of land twenty-five hundred and ten (2,510) feet in length and eleven (11) feet in width, off of what here heretofore been known and designated as the common railroad right of way, said strip of land lying immediately along side and south of the Mary Pratt property, hereinabove described, and off of the north side of said common railroad right of way hereinabove mentioned, and more particularly described as follows: Beginning at the southwest (SW) corner of the Mary Pratt property hereinabove described at a point on Thirty-second (32nd) street four hundred and fifteen (415) feet in a southerly direction from the junction of First (1st) avenue and Thirty-second (32nd) street; thence running in an easterly direction twenty-five hundred and ten (2,510) feet; thence at a right angle in a southerly direction eleven feet; thence in a westerly direction twenty-five hundred and ten (2,510) feet; thence in a northerly direction eleven (11) feet to the point of beginning.

Was read a third time at length and passed.

Yeas, 20; Nays, 0.

Yeas:

Messrs:

Acker	Craft	Kelly	Sims
Beale	Espy	Miller	Smith (Coosa)
Briscoe	Evins	Morris	Smith (Lawrence)
Carlton	Harper	Prestwood	Tally
Carmichael	Huddleston	Rogers (Lauderdale)	West

—20

Nays:—None.

The bill:

H. 869. To amend section 3643 of the Code of Alabama, 1907.

Was read a third time at length and passed.

Yeas, 20; Nays, 0.

Yeas:

Messrs:

Beale	Cowan	Harper	Phillips
Bedsole	Craft	Huddleston	Prestwood
Brown	Ellis	Kelly	Rogers (Lauderdale)
Caffey	Espy	Miller	Smith (Coosa)
Carmichael	Gunter	McDowell	West

—20

Nays:—None.

The bill:

H. 1066. To alter, extend or re-arrange the boundary lines of the corporate limits of the town of Brighton, Alabama.

Was read a third time at length and passed.

Yeas, 20; Nays, 0.

Yeas:

Messrs:

Acker	Carmichael	Harper	Phillips
Beale	Cowan	Huddleston	Prestwood
Bedsole	Craft	Kelly	Rogers (Lauderdale)
Brown	Espy	Morris	Smith (Coosa)
Caffey	Evins	McDowell	West

—20

Nays:—None.

The bill:

H. 959. To authorize registers of the circuit court in circuits composed of only one county and having two or more circuit judges, or counties, now or hereafter, having a population of over 100,000 according to the last Federal census, to grant decrees pro confesso on bills or supplemental bills which are in default for want of answer on any day, in term time or vacation, and to issue all orders of publication to nonresidents or where the address of defendants is unknown, in term time or vacation; or to issue any other process necessary to bring the defendant into court, as now provided by law; and to issue writs of garnishment on judgments or decrees for payment of cost.

Was read a third time at length and passed.

Yeas, 20; Nays, 0:

Yeas:

Messrs:

Acker	Craft	Kelly	Sims
Beale	Espy	Miller	Smith (Coosa)
Briscoe	Evins	Morris	Smith (Lawrence)
Carlton	Harper	Prestwood	Tally
Carmichael	Huddleston	Rogers (Lauderdale)	West

—20

Nays:—None.

The bill:

H. 1049. To provide for the construction of a fireproof building for the safe keeping of all county records in all counties of the State having more than 150,000 population according to the last or any succeeding Federal census and to provide for the keeping of records therein.

Was read a third time at length and passed.

Yeas, 20; Nays, 0.

Yeas:

Messrs:

Acker	Carmichael	Gunter	Sims
Beale	Cowan	Harper	Smith (Coosa)
Bedsole	Craft	Kelly	Smith (Lawrence)
Briscoe	Espy	Miller	Tally
Brown	Evins	Morris	West

—20

Nays:—None.

The bill:

H. 691. To amend sections 1, 2 and 3 of an act to amend sections 3264 and 3265, and repeal section 6647 of the Code of 1907," said act being approved September 22nd, 1915.

Was taken up.

The Committee on Finance and Taxation reported the following amendment to said bill, to-wit:

Amend House bill 691 by adding at the end of section two (2) thereof the following:

"Provided further, that nothing in this act shall apply to circuits having five (5) or more judges.

Which was adopted.

Yeas, 20; *Nays*, 0.

Yeas:

Messrs:

Acker	Carlton	Evins	Rogers (Sumter)
Beale	Carmichael	Gunter	Smith (Coosa)
Bedsole	Cowan	Kelly	Smith (Lawrence)
Briscoe	Craft	Morris	Tally
Brown	Espy	Phillips	West

—20

Nays:—None.

And said bill, as thus amended, was read a third time at length and passed.

Yeas, 20; *Nays*, 0.

Yeas:

Messrs:

Acker	Carlton	Evins	Rogers (Sumter)
Beale	Carmichael	Gunter	Smith (Coosa)
Bedsole	Cowan	Kelly	Smith (Lawrence)
Briscoe	Craft	Morris	Tally
Brown	Espy	Phillips	West

—20

Nays:—None.

The bill:

H. 657. To provide that when any city or town in this State has heretofore acquired, or may hereafter acquire, by purchase,

assignment or otherwise, any mortgage on real estate, that such city or town shall have a lien on such real estate for the amount expended or advanced by it, with interest thereon, and may enforce such lien by appropriate proceedings in the equity side of the circuit court. Provided that this act shall only apply to cities having 100,000 or more population, according to the last or any subsequent Federal census.

Was read a third time at length and passed.

Yeas, 20; Nays, 0.

Yeas:

Messrs:

Acker	Ellis	McDowell	Sims
Beale	Harper	Phillips	Smith (Coosa)
Bedsale	Kelly	Prestwood	Smith (Lawrence)
Brown	Miller	Rogers (Lauderdale)	Tally
Carmichael	Moore	Rogers (Sumter)	West

—20

Nays:—None.

The bill:

H. 1027. To validate and make legal all bonds of the city of Athens, Alabama, issued or to be issued, bearing a rate of interest at the rate of six per centum per annum and to run for a period of thirty years, provided a majority of the qualified electors of said city, voting in such election, have at an election held for that purpose, voted in favor of the issuance thereof, and provided, such election was held prior to July 1st, 1919.

Was read a third time at length and passed.

Yeas, 20; Nays, 0.

Yeas:

Messrs:

Acker	Carlton	Gunter	Phillips
Beale	Carmichael	Harper	Rogers (Sumter)
Bedsale	Cowan	Kelly	Smith (Coosa)
Briscoe	Craft	Miller	Smith (Lawrence)
Brown	Evins	Morris	West

—20

Nays:—None.

The bill:

H. 692. To provide for the annexation of Bay, Calhoun, Escambia, Holmes, Jackson, Okaloosa, Santa Rosa, Walton and Washington counties in west Florida to the State of Alabama, with the assent of the state of Florida and the Congress of the United States.

Was read a third time at length and passed.

Yeas, 20; Nays, 0.

Yeas:

Messrs:

Acker	Carlton	Harper	Rogers (Sumter)
Beale	Carmichael	Kelly	Smith (Coosa)
Bedsole	Cowan	Miller	Smith (Lawrence)
Briscoe	Craft	Morris	Tally
Brown	Gunter	Phillips	West

—20

Nays:—None.

The bill:

H. 704. To amend section 3465 of the Code of Alabama.

Was read a third time at length and passed.

Yeas, 20; Nays, 0.

Yeas:

Messrs:

Acker	Carlton	Gunter	Rogers (Sumter)
Beale	Carmichael	Harper	Sims
Bedsole	Cowan	Kelly	Smith (Lawrence)
Briscoe	Craft	Morris	Tally
Brown	Espy	Phillips	West

—20

Nays:—None.

The bill:

H. 855. To create the department of examiners of accounts, to prescribe its powers, duties and functions, provide for the appointment of a chief examiner and assistant examiners, to regulate the duties and compensation of such officials, and to provide clerical help for said department.

Was read a third time at length and passed.

Yeas, 20; Nays, 0.

Yeas:

Messrs:

Acker	Carlton	Gunter	Rogers (Sumter)
Beale	Carmichael	Harper	Sims
Bedsole	Cowan	Kelly	Smith (Coosa)
Briscoe	Craft	Morris	Tally
Brown	Evins	Phillips	West

—20

Nays:—None.

The bill:

H. 872. To provide for the special appointment by judges of the circuit courts in circuits having five or more circuit judges, of court reporters designated by the parties to any matter, cause, or proceeding, to act as official court reporters; to define their duties, and fix their compensation, and the method of payment thereof; to provide for the taxation of the compensation of such

reporters as costs, and for the reimbursement of parties who shall pay the compensation of such reporters; and to provide that the transcript of such court reporter of the testimony, or other oral proceedings in any matter, cause, or proceeding in said courts, when certified by such reporter, shall be prima facie evidence of such testimony, or other oral proceedings, and shall be admissible in evidence of such testimony or other oral proceedings whenever proof thereof is otherwise competent.

Was read a third time at length and passed.

Yeas, 20; Nays, 0.

Yeas:

Messrs:

Acker	Carlton	Gunter	Rogers (Sumter)
Beale	Carmichael	Harper	Sims
Bedsole	Cowan	Kelly	Smith (Coosa)
Briscoe	Craft	Morris	Tally
Brown	Evins	Phillips	West

—20

Nays:—None.

The bill:

H. 562. To repeal section 3279, 3280 and 3281 of the Code of Alabama, an act to amend section 3281 of the Code of Alabama, approved April 22, 1911, and an act to amend section 3279 of the Code of Alabama. Approved September 8, 1915.

Was read a third time at length and passed.

Yeas, 20; Nays, 0.

Yeas:

Messrs:

Acker	Carlton	Gunter	Phillips
Beale	Carmichael	Harper	Rogers (Lauderdale)
Bedsole	Cowan	Kelly	Sims
Briscoe	Craft	Miller	Smith (Coosa)
Brown	Espy	Morris	Tally

—20

Nays:—None.

The bill:

H. 870. To provide for and prescribe fees to be paid on the consolidation or merger of corporations.

Was read a third time at length and passed.

Yeas, 20; Nays, 0.

Yeas:

Messrs:

Acker	Carlton	Gunter	Phillips
Beale	Carmichael	Harper	Rogers (Lauderdale)
Bedsole	Cowan	Kelly	Sims
Briscoe	Craft	Miller	Smith (Coosa)
Brown	Espy	Morris	Tally

—20

Nays:—None.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has passed the following Senate bills:

S. 212. To declare the eleventh day of November in each and every year a memorial day for the Alabama soldiers who died in the recent war, and to make the day a legal holiday in Alabama.

Also:

S. 654. To amend section 564 (1907) of the Code of Alabama.

Also:

S. 584. To authorize the governor to employ a special force of not more than ten men to serve under his immediate direction and control, to assist him in his duty of taking care that the laws of the State are faithfully executed, and to provide compensation for their services.

Also:

S. 240. To provide for the inspection of all public or private hospitals, reformatories, houses of detention, convents, asylums, sectarian seminaries, schools or other institutions in the State of Alabama; to authorize the appointment of inspectors, and to provide penalties for the violation of any of the provisions hereof.

Also:

S. 241. To prohibit involuntary servitude or forcible detention in public or private hospitals, reformatories, houses of detention, convents, asylums, sectarian seminaries, schools or institutions, and providing penalties therefor.

Also:

S. 242. To repeal an act entitled an act to declare the twelfth day of October a legal holiday, to be known as "Columbus Day," approved March 4th, 1911, Acts 1911, page 91.

And returns same herewith to the Senate.

Fred H. Gormley,
Clerk.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has passed the following Senate bills:

S. 237. To change the name of the Mount Vernon Hospital to that of "The Searcy Hospital."

Also:

S. 302. To authorize solvent banks to voluntarily liquidate and to provide the method.

Also:

S. 394. For the relief of T. H. Pearson.

Also:

S. 350. To create the Alabama art commission, and to prescribe its powers and duties.

Also:

S. 559. To provide for the expense of this session of the Legislature.

Also:

S. 746. To amend an act to better secure the administration of the financial affairs of the State in respect to expenditures and appropriations; and for that purpose to establish a State budget commission, and prescribe rules and regulations governing the same, approved February 11, 1919, by adding thereto a provision for the payment by the State for the services of the members of the State budget commission.

Also:

S. 486. To amend an act of the Legislature of Alabama entitled, "An act to amend section 3795 of the Code of Alabama of 1907.

Also:

S. 511. To amend and consolidate sections 54, 55, 56, 57 and 58, of the Code, and the act of April 7, 1911, and the act of March 9, 1915, all relating to the "Canebrake Agricultural Experiment Station" at Uniontown, Alabama.

S. 186. To amend section 3713 of the Code of Alabama of 1907.

Also:

S. 709. To provide a fund out of which the salaries of the judges of the county court shall be paid, and to fix the amount of such salaries in counties having a population of more than eighteen thousand and less than eighteen thousand three hundred, according to the Federal census of 1910 or any subsequent Federal census.

And returns same herewith to the Senate.

Fred H. Gormley,
Clerk.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has concurred in and adopted the amendment proposed by the governor to the bill:

S. 368. To provide for the establishment, maintenance, repair and regulations of public highways; including bridges and ferries, in St. Clair county.

And returns same herewith to the Senate.

Fred H. Gormley,
Clerk.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has concurred in and adopted the report of the Conference Committee on the disagreement of the two houses on the House amendment to the bill:

S. 593. To provide and submit to the qualified electors of the State of Alabama at an election to be held on the first Monday after the expiration of three months from and after the final adjournment of the present session of the Legislature at which this amendment is proposed, an amendment to the Constitution of the State of Alabama, whereby the following municipal corporations: Birmingham, Bessemer, Huntsville, Florence, Selma, Anniston, Athens, Jacksonville, Auburn, Fairfield, Corbin Hill, Mobile and LaFayette, in the State of Alabama, may levy and collect a rate of taxation on the property situated therein not exceeding in the total in any one year one and one-half per centum of the value of such property as assessed, as provided by the Constitution and statutes now or hereafter enacted pursuant to the Constitution; provided, that the total rate of taxation levied by such municipal corporations shall not in any one year exceed one (1) per centum, unless the rate in excess thereof shall have been submitted to and authorized by ballot by the qualified electors of such municipal corporations, respectively, at elections to be held by them from time to time for such purposes and to provide for such elections.

And returns same herewith to the Senate.

Fred H. Gormley,
Clerk.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has concurred in and adopted the amendment proposed by the governor to the bill:

S. 332. To amend an act entitled, "An act to regulate the employment of minor children within the State of Alabama; to prohibit the employment of minors under certain conditions; to provide for the inspection, and regulation of establishments, occupations, places and premises where minors are employed; to entrust the enforcement of the provisions of this act to the State prison inspector; to punish violations of this act," and approved February 24, 1915.

And returns same herewith to the Senate.

Fred H. Gormley,
Clerk.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has concurred in and adopted the Senate amendment to the bill:

H. 860. To create the office of county solicitor in all counties having a population of not less than eighteen thousand one hundred and twenty-five and not more than eighteen thousand nine hundred according to the Federal census of 1910, and to provide for the election of such solicitor by the qualified electors of such counties and prescribe his qualifications and duties and fix his compensation.

Fred H. Gormley,
Clerk.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has concurred in and adopted the Senate amendment to the bill:

H. 900. To confer additional powers, authority and jurisdiction on and to further prescribe the duties of the board of control and economy created by the act of the Legislature, approved February 13, 1919; to abolish the board of convict inspectors and the offices of the members and employees thereof and to confer upon the State board of control and economy all the power, authority and jurisdiction heretofore exercised by or under the authority of the State board of convict inspectors, and additional powers and authority, including authority and power to provide for the segregation, care, custody and treatment of tubercular persons; and to impose upon the board of control and economy all the duties heretofore required of the State board of convict inspectors and additional duties; to confer upon the board of control and economy general supervision and authority over the office of the State prison inspector who shall henceforth discharge the duties of his office in connection with and as part of the work of the State board of control and economy; to confer upon the board of control and economy certain duties and authority with reference to the purchasing and supplies of the public printing and binding, stationery, fuel and paper, and other powers and authority incident to the more efficient control and coordination of the business operations of the State; (also providing for the necessary appropriations to pay all salaries, wages and other expenses and outlays authorized to be paid or incurred in this and the said original act of February 13, 1919.

Fred H. Gormley,
Clerk.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has concurred in and adopted the Senate amendment to the bill:

H. 590. To regulate the office of tax collector in all counties of the State of Alabama which has a population of as much as 33,781 and not more than 33,800 according to the last Federal census and fix the compensation of such tax collectors and to provide for the payment thereof.

Fred H. Gormley,
Clerk.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has concurred in and adopted the Senate amendment to the bill:

H. 452. Authorizing a bank to pay the deposit of a deceased depositor to the widow, or husband or heirs of the deceased, where the deposit does not exceed one thousand (\$1,000.00) dollars, after the lapse of sixty (60) days from the death of the deceased.

Fred H. Gormley,
Clerk.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has concurred in and adopted the Senate amendment to the bill:

H. 368. To make an appropriation for the support and maintenance of the Alabama Tuberculosis Commission, created and incorporated under and by virtue of a certain act of the Legislature of Alabama, and approved September 22, 1915, entitled: An act to prevent the spread of tuberculosis by the creation of a tuberculosis commission, to provide for its organization and work and to authorize the erection and maintenance of local hospitals under its supervision.

Fred H. Gormley,
Clerk.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has concurred in and adopted the Senate amendment to the bill:

H. 615. To amend certain sections of the primary election law, being "An act to regulate primary elections in the State of Alabama, appearing in the printed acts of 1915 at pages 218 to 239 inclusive, by amending, to-wit: Sections 8, 9, 11, 12, 19, 20, 23, 32, 33, 36, 38, 39, 40, 41, 42, 43, 45, 49, 52 and 58 of said act.

Fred H. Gormley,
Clerk.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has concurred in and adopted the Senate amendment to the bill:

H. 613. To regulate the traffic in seed cotton in the several counties of Alabama and to provide for penalties for violating the same.

Fred H. Gormley,
Clerk.

MESSAGE FROM THE HOUSE.

Mr. President:

The Speaker having signed the following House bills your signature thereto is requested:

H. 524. For the relief of Honor McNicholas, John Muldowney, Mary Muldowney Walsh, Martin J. Muldowney, Andrew George Muldowney and Nora Muldowney O'Hara.

H. 481. To amend an act entitled an act to amend section 1 of an act entitled "An act to designate certain public roads of the State as State trunk roads and to provide the manner in which the State roads shall be located, improved and maintained, approved September 10th, 1915," which amended act was approved February 19, 1919.

H. 760. To make an appropriation of two hundred and eighty-two dollars for the relief of George W. Morris, a Confederate soldier of Randolph county.

H. 949. To designate a certain public road of Alabama as a State trunk road, and to provide the manner in which said road shall be located, improved and maintained.

H. 947. To provide for a deputy watchman, or attendant for each jail and prison in all counties having a population of not less than thirty thousand nine hundred and seventy-five and not more than thirty-one thousand according to the last or any subsequent Federal census, whenever the court of county commissioners or court of like jurisdiction in said counties deem same necessary to the well-being of the prisoners confined in said

jail or prison and shall by resolution duly passed require the sheriff to employ such deputies, warden or attendant and, to provide for the payment of his services, and to prescribe his duties.

H. 410. For the relief of H. C. Davidson, trustee for Camp Lomax, United Confederate Veterans, and to require the county's proportion of the license money paid by said H. C. Davidson, as said trustee, in March 1917, to be refunded by the treasurer of Montgomery county, or the person or corporation acting as such treasurer, and requiring the auditor of the State of Alabama to draw his warrant, for the amount or proportion of said license money which the State received, in favor of said H. C. Davidson, trustee, the total being \$120.00.

H. 993. To create and designate an additional trunk road, extending from the town of Heflin in Cleburne county east to the Georgia state line along the public road now laid out and forming a part of what is known as the Bankhead highway, and to confer upon said road all of the rights and privileges now extended to trunk roads in this State.

H. 913. To provide for the payment of the expenses and compensation of a guard incurred in bringing back to the State of Alabama from Little Rock, Arkansas, L. W. Griffith, a fugitive from justice, charged under proper process with the charge of burglary and grand larceny; and brought back to Alabama under due and legal authority and requisition of the governor of Alabama.

H. 1077. To provide that in all counties of the State of Alabama, having a population of not less than 39,920 nor more than 39,925 according to the last preceding Federal census, the interest on outstanding road warrants issued by such counties, where such outstanding road warrants amount to the sum of \$140,000.00 and bear interest at the rate of six (6%) per annum, shall become a preferred claim against the general fund of such counties, shall be paid out of the general fund of such counties and to provide the manner of the payment of such interest.

H. 1076. To provide that in all the counties of the State of Alabama having a population of not less than 39,920 nor more than 39,925 according to the last preceding Federal census, that the interest on all interest bearing warrants issued from and after the passage and approval of this act, by the court of county commissioners, board of revenue or other governing body of such counties, by whatever name called, shall be a preferred claim against the general fund of such counties, shall be payable out of the general fund of such counties each year, and to provide the time and manner of the payment of such interest out of said general fund.

H. 851. To dispose of the fine and forfeiture fund in Conecuh county, Alabama, and to provide for the payment of all claims which are by law a charge against said fund.

H. 1028. To provide for elections, to be held at the time of holding general elections in this State in all counties in which local county stock laws are now in force, having not less than 30,815 nor more than 30,915 population, either by the Federal census of 1910, or by any subsequent census to ascertain whether a majority of the qualified electors of such counties desire or favor a modification of said local stock law.

H. 211. For the relief of Cora Rasco, of Jefferson county, Alabama, for the death of her husband, Robert F. Dickinson, who was killed by falling rock in Lucile Mine, in Bibb county, Alabama, on the 26th day of May, 1913, while in employment of the State of Alabama.

H. 904. For the relief of J. S. Ward and R. H. Wood.

H. 695. To ratify and make legal certain claims and script registered against the fine and forfeiture fund of Crenshaw county and to authorize and empower the treasurer of the county to pay the same.

H. 435. To submit to the qualified electors of the State, at the general election to be held in November, 1920, for their consideration, an amendment to the Constitution for the purpose of authorizing the several counties of the State to levy and collect a special road tax, not exceeding fifty cents, on each one hundred dollars worth of taxable property in such counties, under such regulations as the Legislature may have prescribed or may hereafter prescribe.

H. 992. To create the office of county solicitor for Crenshaw county; to prescribe his qualifications and duties; to provide for his election by the qualified electors of the county; to provide for the filling of vacancies in said office; to fix his salary and prescribe the length of term of his office and to repeal conflicting laws.

H. 549. To provide for the relief of E. C. Childs, tax collector, Geneva county, Alabama, during the year 1910, in the matter of refunding \$448.50, on account of an unused poll tax receipt book being charged to him in the final settlement for the year 1910 by the State auditor, and to make an appropriation for the refund of this \$448.50 to E. C. Childs.

Fred H. Gormley,
Clerk.

SIGNING OF BILLS.

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the following bills:

H. 524. For the relief of Honor McNicholas, John Muldowney, Mary Muldowney Walsh, Martin J. Muldowney, Andrew George Muldowney and Nora Muldowney O'Hara.

H. 481. To amend an act entitled an act to amend section 1 of an act entitled "An act to designate certain public roads of the State as State trunk roads and to provide the manner in which the State roads shall be located, improved and maintained, approved September 10th, 1915," which amended act was approved February 19, 1919.

H. 760. To make an appropriation of two hundred and eighty-two dollars for the relief of George W. Morris, a Confederate soldier of Randolph county.

H. 949. To designate a certain public road of Alabama as a State trunk road, and to provide the manner in which said road shall be located, improved and maintained.

H. 947. To provide for a deputy watchman, or attendant for each jail and prison in all counties having a population of not less than thirty thousand nine hundred and seventy-five and not more than thirty-one thousand according to the last or any subsequent Federal census, whenever the court of county commissioners or court of like jurisdiction in said counties deem same necessary to the well-being of the prisoners confined in said jail or prison and shall by resolution duly passed require the sheriff to employ such deputies, warden or attendant and, to provide for the payment of his services, and to prescribe his duties.

H. 410. For the relief of H. C. Davidson, trustee for Camp Lomar United Confederate Veterans, and to require the county's proportion of the license money paid by said H. C. Davidson, as said trustee, in March, 1917, to be refunded by the treasurer of Montgomery county, or the person or corporation acting as such treasurer, and requiring the auditor of the State of Alabama to draw his warrant, for the amount or proportion of said license money which the State received, in favor of said H. C. Davidson, trustee, the total being \$120.00.

H. 993. To create and designate an additional trunk road, extending from the town of Heflin in Cleburne county east to the Georgia state line along the public road now laid out and forming a part of what is known as the Bankhead highway, and to confer

upon said road all of the rights and privileges now extended to trunk roads in this State.

H. 913. To provide for the payment of the expenses and compensation of a guard incurred in bringing back to the State of Alabama from Little Rock, Arkansas, L. W. Griffith, a fugitive from justice, charged under proper process with the charge of burglary and grand larceny; and brought back to Alabama under due and legal authority and requisition of the governor of Ala-

H. 1077. To provide that in all counties of the State of Alabama, having a population of not less than 39,920 nor more than 39,925 according to the last preceding Federal census, the interest on outstanding road warrants issued by such counties, where such outstanding road warrants amount to the sum of \$140,000.00 and bear interest at the rate of six (6%) per centum per annum, shall become a preferred claim against the general fund of such counties, shall be paid out of the general fund of such counties and to provide the manner of the payment of such interest.

H. 1076. To provide that in all the counties of the State of Alabama having a population of not less than 39,920 nor more than 39,925 according to the last preceding Federal census, that the interest on all interest-bearing warrants issued from and after the passage and approval of this act, by the court of county commissioners, board of revenue or other governing body of such counties, by whatever name called shall be a preferred claim against the general fund of such counties, shall be payable out of the general fund of such counties each year, and to provide the time and manner of the payment of such interest out of said general fund.

H. 851. To dispose of the fine and forfeiture fund in Conecuh county, Alabama, and to provide for the payment of all claims which are by law a charge against said fund.

H. 1028. To provide for elections, to be held at the time of holding general elections in this State in all counties in which local county stock laws are now in force, having not less than 30,815 nor more than 30,915 population, either by the Federal census of 1910, or by any subsequent census to ascertain whether a majority of the qualified electors of such counties desire or favor a modification of said local stock law.

H. 211. For the relief of Cora Rasco, of Jefferson county, Alabama, for the death of her husband, Robert F. Dickinson, who was killed by falling rock in Lucile Mine, in Bibb county, Alabama, on the 26th day of May, 1913, while in employment of the State of Alabama.

H. 904. For the relief of J. S. Ward and R. H. Wood.

H. 695. To ratify and make legal certain claims and script registered against the fine and forfeiture fund of Crenshaw county and to authorize and empower the treasurer of the county to pay the same.

H. 435. To submit to the qualified electors of the State, at the general election to be held in November, 1920, for their consideration, an amendment to the Constitution for the purpose of authorizing the several counties of the State to levy and collect a special road tax, not exceeding fifty cents, on each one hundred dollars worth of taxable property in such counties, under such regulations as the Legislature may have prescribed or may hereafter prescribe.

H. 992. To create the office of county solicitor for Crenshaw county; to prescribe his qualifications and duties; to provide for his election by the qualified electors of the county; to provide for the filling of vacancies in said office; to fix his salary and prescribe the length of term of his office and to repeal conflicting laws.

H. 549. To provide for the relief of E. C. Childs, tax collector, Geneva county, Alabama, during the year 1910, in the matter of refunding \$448.50, on account of an unused poll tax receipt book being charged to him in the final settlement for the year 1910 by the State auditor, and to make an appropriation for the refund of this \$448.50 to E. C. Childs.

MESSAGE FROM THE HOUSE.

Mr. President:

The Speaker having signed the following House joint resolution, your signature thereto is requested:

H. J. R. 10. Relates to establishment of the Bankhead national highway.

Fred H. Gormley,
Clerk.

SIGNING OF RESOLUTION.

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the following resolution:

H. J. R. 10. Relates to establishment of the Bankhead national highway.

REPORT FROM COMMITTEE ON ENROLLED BILLS.

Mr. President:

Your Standing Committee on Enrolled Bills beg leave to report that said committee, in session, have compared the following enrolled bills with the engrossed and original bills, respectively, and find same correctly enrolled, to-wit:

S. 572. To create a commission with authority and powers to act for and on behalf of the State of Alabama in acquiring by purchase or condemnation the building in the city of Montgomery, Alabama, commonly known and designated as the "First White House of the Confederacy," and also the land whereon said building rests or such other land as said commission may deem advisable, and to make appropriation for such purpose and for the maintenance and repair of such property.

S. 713. To make appropriations to the University of Alabama.

S. 744. To amend section 79 of the Code of Alabama of 1907.

S. 453. To authorize the extension of the corporate existence of banking corporations organized under or chartered by any special act of the Legislature and to provide the method of making such extension.

S. 188. To provide for the dissolution of municipal corporations having population of less than 1,100 inhabitants.

S. 285. To make an appropriation for the relief of Robert H. Greene.

S. 553. To provide for a clerk to the tax assessor in counties having more than 37,000 population and less than 37,400 population, according to the 1910 Federal census, to prescribe the duties of such clerks and provide for their appointment and compensation.

S. 734. To make appropriations to the State department of education.

S. 470. An act to provide a complete educational system for the State of Alabama; to provide a public school fund; to provide for the administration of the public schools and create a State board of education and prescribe its powers and duties; to create county and city boards of education, to define their respective powers and duties, to provide for the payment of their necessary expenses and equipment, including furniture; to provide for the holding of elections for the one mill county tax on each dollar of taxable property under the Constitution of 1901; to provide for the holding of elections for the county tax of three mills or less on each dollar of taxable property under the amendment to

the Constitution of 1901; to provide for the holding of elections for the district tax of three mills or less on each dollar of taxable property, and to prescribe the method of holding such elections; to prescribe the duties and powers of the State superintendent of education and to fix his compensation; to provide for the organization of the State department of education; to provide for the appointment of county superintendents of education, to define their duties and powers and to provide for their compensation; to provide for boards of school trustees; to provide for the appointment of city superintendents of education, to define their duties and powers, and to provide for their compensation; to provide for supervisors of schools in the various counties and cities, to fix their duties and powers, and provide for their compensation; to provide for the use of a bonus fund for counties levying and collecting a special county tax for school purposes, and to fix the amount in accordance with the rate of such special tax; to provide for a county treasurer of school funds; to provide for compulsory attendance upon the schools of the State within certain ages, to fix penalties, to provide for the appointment of attendance officers and to define their duties and fix their compensation and to provide the method of enforcing compulsory attendance within the ages prescribed; to provide for the certification of teachers, and to provide for the use of appropriations for the issuance of certificates and for the conduct of teachers' institutes, for the training of teachers in service, and provide the necessary clerical and other assistants; to provide financial assistance for the erection, repair and equipment of rural schoolhouses, and to prescribe the conditions under which such assistance may be obtained; to provide for the sale and conveyance of certain lands that have been conveyed to the State for school purposes; to provide for rural libraries throughout the State, including the method by which assistance may be obtained; to provide for vocational education and for the use of appropriations therefor; to provide for the removal of illiteracy among adults as well as among minors, and for the use of appropriations therefor; to provide uniform textbooks throughout the State and to authorize the creation of a State textbook committee and to define its powers and duties; to provide for county high schools and prescribe the conditions under which such county high schools may obtain assistance from the State, and to authorize such county high schools to receive financial assistance from county boards of revenue, boards of education, school districts or private sources; to provide for county high school treasurers, to fix their bonds and prescribe their powers and duties and to

provide for the payment of the premiums upon their bonds; to provide for county treasurers of school funds, to fix their bonds and prescribe their powers and duties and to provide for the payment of the premiums upon their bonds; to provide for changing the name of the nine branch agricultural schools and experiment stations, or district agricultural schools, and of the Northeast Alabama Agricultural and Industrial Institute to State secondary agricultural schools, to provide for their management and control and for their continuance upon the meeting of certain requirements and for the use of appropriations therefor; to provide for certain State normal schools and for their control and management and for the use of appropriations therefor; to provide for the creation of the Alabama School of Trades and Industry and for its control and management; to provide for changing the name of the Agricultural and Mechanical College for Negroes to Agricultural and Mechanical Institute for Negroes, and to provide for its management and control and for the use of appropriations therefor; to provide for changing the name of the school heretofore established at Montevallo as the Alabama Girls' Industrial School, later called the Alabama Girls' Technical Institute, to the name of the Alabama Technical Institute and College for Women; to create a board of trustees for each institute, to prescribe their powers and duties, their method of appointment, and length of service, and for the use of appropriations therefor; to provide for the management and control of the Alabama Polytechnic Institute, to define the powers and duties of the board of trustees, the method of appointment of such trustees, and for the use of appropriations to said institute; to provide for the management and control of the University of Alabama, to define the duties and powers of the trustees, the method of appointment of such trustees, and for the use of appropriations to the University; to provide for a summer school at the University of Alabama and for the use of appropriations therefor; to create a State council of education and to prescribe its powers and duties; to provide for the management and control of the Alabama Institute for the Deaf; of the Alabama Academy for the Blind, and of the Alabama School for Negro Deaf and Blind, to create a board of trustees therefor and to provide for the method of their appointment and the length of service and for the use of appropriations therefor; to provide for the establishment and maintenance of the Alabama Boys' Industrial School, to provide for the management and control thereof, and for the appointment of a board of directors, to define their powers and duties and the method of committing boys thereto, and for the use of appropria-

tions therefor; to provide for the maintenance and establishment of the Alabama school for Juvenile Negro Lawbreakers; to provide for the management and control thereof, and for the appointment of a board of directors; to define their powers and duties, and for the method of committing boys thereto, and for the use of appropriations for such school; to provide for the lease and sale of school lands in the State; to make certain requirements with reference to the bonds of officials and employees authorized under the provisions of this act; to require county and city boards of education to give regular instruction in all schools under their direction as to the nature of alcoholic drinks, tobacco and other narcotics; to require private, denominational and parochial schools to make reports; to provide penalties for the violation of the provisions of this act and to provide for the repeal of inconsistent laws enacted hereafter.

S. 566. To establish a school at Eufaula, Alabama, to be known as the Southeast Alabama Industrial School, to provide for its management and to make an appropriation therefor.

Chas. McDowell, Jr.,
Chairman.

SIGNING OF BILLS.

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the following bills:

S. 572. To create a commission with authority and powers to act for and on behalf of the State of Alabama in acquiring by purchase or condemnation the building in the city of Montgomery, Alabama, commonly known and designated as the "First White House of the Confederacy," and also the land whereon said building rests or such other land as said commission may deem advisable, and to make appropriation for such purpose and for the maintenance and repair of such property.

S. 713. To make appropriations to the University of Alabama.

S. 744. To amend section 79 of the Code of Alabama of 1907.

S. 453. To authorize the extension of the corporate existence of banking corporations organized under or chartered by any special act of the Legislature and to provide the method of making such extension.

S. 188. To provide for the dissolution of municipal corporations having population of less than 1,100 inhabitants.

S. 285. To make an appropriation for the relief of Robert H. Greene.

S. 553. To provide for a clerk to the tax assessor in counties having more than 37,000 population and less than 37,400 population, according to the 1910 Federal census, to prescribe the duties of such clerks and provide for their appointment and compensation.

S. 734. To make appropriations to the State department of education.

S. 470. To provide a complete educational system for the State of Alabama; to provide a public school fund; to provide for the administration of the public schools and create a State board of education and prescribe its powers and duties; to create county and city boards of education, to define their respective powers and duties, to provide for the payment of their necessary expenses and equipment, including furniture; to provide for the holding of elections for the one mill county tax on each dollar of taxable property under the Constitution of 1901; to provide for the holding of elections for the county tax of three mills or less on each dollar of taxable property under the amendment to the Constitution of 1901; to provide for the holding of elections for the district tax of three mills or less on each dollar of taxable property, and to prescribe the method of holding such elections; to prescribe the duties and powers of the State superintendent of education and to fix his compensation; to provide for the organization of the State department of education; to provide for the appointment of county superintendents of education, to define their duties and powers and to provide for their compensation; to provide for boards of school trustees; to provide for the appointment of city superintendents of education, to define their duties and powers, and to provide for their compensation; to provide for superintendents of schools in the various counties and cities, to fix their duties and powers, and provide for their compensation; to provide for the use of a bonus fund for counties levying and collecting a special county tax for school purposes, and to fix the amount in accordance with the rate of such special tax; to provide for a county treasurer of school funds; to provide for compulsory attendance upon the schools of the State within certain ages, to fix penalties, to provide for the appointment of attendance officers and to define their duties and fix their compensation and to provide the method of enforcing compulsory attendance within the ages prescribed; to provide for the certification of teachers, and to provide for the use of appropriations for the issuance of certificates and for the

conduct of teachers' institutes, for the training of teachers in service, and provide the necessary clerical and other assistants; to provide financial assistance for the erection, repair and equipment of rural schoolhouses, and to prescribe the conditions under which such assistance may be obtained; to provide for the sale and conveyance of certain lands that have been conveyed to the State for school purposes; to provide for rural libraries throughout the State, including the method by which assistance may be obtained; to provide for vocational education and for the use of appropriations therefor; to provide for the removal of illiteracy among adults as well as among minors, and for the use of appropriations therefor; to provide uniform textbooks throughout the State and to authorize the creation of a State textbook committee and to define its powers and duties; to provide for county high schools and prescribe the conditions under which such county high schools may obtain assistance from the State, and to authorize such county high schools to receive financial assistance from county boards of revenue, boards of education, school districts or private sources; to provide for county high school treasurers, to fix their bonds and prescribe their powers and duties and to provide for the payment of the premiums upon their bonds; to provide for county treasurers of school funds, to fix their bonds and prescribe their powers and duties and to provide for the payment of the premiums upon their bonds; to provide for changing the name of the nine branch agricultural schools and experiment stations, or district agricultural schools, and of the Northeast Alabama Agricultural and Industrial Institute to State secondary agricultural schools; to provide for their management and control and for their continuance upon the meeting of certain requirements and for the use of appropriations therefor; to provide for certain State normal schools and for their control and management and for the use of appropriations therefor; to provide for the creation of the Alabama School of Trades and Industry and for its control and management; to provide for changing the name of the Agricultural and Mechanical College for Negroes to Agricultural and Mechanical Institute for Negroes, and to provide for its management and control and for the use of appropriations therefor; to provide for changing the name of the school heretofore established at Montevallo as the Alabama Girls' Industrial School, later called the Alabama Girls' Technical Institute, to the name of the Alabama Technical Institute and College for Women; to create a board of trustees for each institute, to prescribe their powers and duties, their method of appointment, and length of service, and for the use of appropriations therefor; to provide for the management and control

of the Alabama Polytechnic Institute, to define the powers and duties of the board of trustees, the method of appointment of such trustees, and for the use of appropriations to said institute; to provide for the management and control of the University of Alabama, to define the duties and powers of the trustees, the method of appointment of such trustees, and for the use of appropriations to the University; to provide for a summer school at the University of Alabama and for the use of appropriations therefor; to create a State council of education and to prescribe its powers and duties; to provide for the management and control of the Alabama Institute for the Deaf; of the Alabama Academy for the Blind, and of the Alabama School for Negro Deaf and Blind, to create a board of trustees therefor and to provide for the method of their appointment and the length of service and for the use of appropriations therefor; to provide for the establishment and maintenance of the Alabama Boys' Industrial School, to provide for the management and control thereof, and for the appointment of a board of directors, to define their powers and duties and the method of committing boys thereto, and for the use of appropriations therefor; to provide for the maintenance and establishment of the Alabama school for Juvenile Negro Lawbreakers; to provide for the management and control thereof, and for the appointment of a board of directors, to define their powers and duties, and for the method of committing boys thereto, and for the use of appropriations for such school; to provide for the lease and sale of school lands in the State; to make certain requirements with reference to the bonds of officials and employees authorized under the provisions of this act; to require county and city boards of education to give regular instruction in all schools under their direction as to the nature of alcoholic drinks, tobacco and other narcotics; to require private, denominational and parochial schools to make reports; to provide penalties for the violation of the provisions of this act and to provide for the repeal of inconsistent laws enacted hereafter.

S. 566. To establish a school at Eufaula, Alabama, to be known as the Southeast Alabama Industrial School, to provide for its management and to make an appropriation therefor.

REPORT OF THE SECRETARY.

To the Senate:
Gentlemen:

I submit the following report, made pursuant to joint rule 5, relative to the delivery of enrolled and signed bills and joint resolutions to the governor, to-wit:

S. 361. To prescribe the term of training for nurses in hospital and schools in Alabama, and the method of certification as such.

Delivered to the governor September 17th, 1919, at 11:30 A. M.

S. 448. To create a county highway commission for Cherokee county, Alabama, to be known as the Cherokee county highway commission and to provide for the appointment thereof by the governor; to invest it with full, complete and unlimited jurisdiction over the public roads, bridges and ferries in Cherokee county; to prescribe and define its powers and duties as such highway commission, and to repeal all laws and parts of laws in conflict therewith; to abolish free labor on the public roads in Cherokee county and in lieu thereof, assess public road dues on those required to perform free labor on the public roads. To authorize the commission to take charge of all the public road tools and machinery belonging to the county, and to receive all the funds now provided by the county for the use of the public roads, bridges and ferries therein; and, in addition thereto, to levy and collect special privilege license taxes for the construction and maintenance of the public roads, bridges and ferries in the county. To authorize and empower the commission to exercise all the legislative, judicial and executive authority over the public roads, bridges and ferries conferred by law on the court of county commissioners. To fix penalties for the violations of any of the provisions of this act, and for the violation of any of the rules or legislative acts of the commission.

Delivered to the governor September 17th, 1919, at 11:30 A. M.

S. 450. To authorize the employment in counties of more than eighty-two thousand and less than one hundred thousand according to the latest Federal census, or any subsequent Federal decennial census of persons to investigate and report violations of law, to prescribe the mode of their employment, their term of office, their duties, and the amount and method of payment for their services.

Delivered to the governor September 17th, 1919, at 11:30 A. M.

S. 26. To provide for the employment of State convicts in mining coal on the coal lands of the University of Alabama.

Delivered to the governor September 17th, 1919, at 11:30 A. M.

S. 497. To provide for the election of county road engineers in counties having a population of not less than eighty nor more than eighty-two thousand according to the Federal census of 1910, and to fix their duties and compensation.

Delivered to the governor September 17th, 1919, at 11:30 A.

M.

S. 332. To amend an act entitled, "An act to regulate the employment of minor children within the State of Alabama; to prohibit the employment of minors under certain conditions; to provide for the inspection, and regulation of establishments, occupations, places and premises where minors are employed; to entrust the enforcement of the provisions of this act to the State prison inspector; to punish violations of this act," and approved February 24, 1915.

Delivered to the governor September 17th, 1919, at 11:30 A.

M.

S. 214. To amend article 2, section 7417, of the Code of 1907.

Delivered to the governor September 17th, 1919, at 11:30 A.

M.

S. 390. To designate a certain public road of the State of Alabama as a State trunk road and to provide the manner in which such road shall be located, improved and maintained.

Delivered to the governor September 17th, 1919, at 11:30 A.

M.

S. 359. To amend section one of an act entitled, "An act to create a county highway commission for Walker county, Alabama, and to define the powers and duties thereof," approved February 15th, 1919.

Delivered to the governor September 17th, 1919, at 11:30 A.

M.

S. 523. To authorize divorce for abandonment whenever a party, who has deserted his or her consort for more than ten months, fails to return to the performance of his or her marital obligations within sixty days after notice.

Delivered to the governor September 17th, 1919, at 11:30 A.

M.

S. 134. To provide for the organization or admission and the regulation and taxation of incorporated mutual insurance companies, other than life.

Delivered to the governor September 18th, 1919, at 10:20 A.

M.

S. 368. To provide for the establishment, maintenance, repair and regulations of public highways; including bridges and ferries, in St. Clair county.

Delivered to the governor September 17th, 1919, at 11:30 A.

M.

S. 536. To provide for the compensation of deputy solicitors in all counties of the State, having a population of more than 27,100 and less than 27,200, according to the last Federal census,

or any subsequent Federal census, and to provide the manner in which the same shall be paid.

Delivered to the governor September 19th, 1919, at 3 o'clock P. M.

S. 12. To provide pensions for soldiers and sailors in the service of the State of Alabama and for their widows and for soldiers and sailors in the army or navy of the Confederate States of America, and for their widows, and for the regulation of the payment thereof, and to constitute and appoint a pension commission for the State of Alabama and prescribe its powers and duties.

Delivered to the governor September 23rd, 1919, at 11:30 A. M.

S. 543. To authorize and empower boards of revenue in counties having a population of not less than 82,000 and not more than 100,000 according to the latest Federal census, to expend county funds not exceeding \$2,500 per annum for county purposes not otherwise provided for by law.

Delivered to the governor September 19th, 1919, at 3 o'clock P. M.

S. 232. To fix the amount of ex-officio fees of clerks of the circuit court in all counties having a population of more than 37,900 and less than 38,000 according to the 1910 Federal census or any subsequent census, where the assessed value of real and personal property in such counties exceeds the sum of ten million dollars and to provide for the payment of the same.

Delivered to the governor September 19th, 1919, at 3 o'clock P. M.

S. 230. To fix the amount of ex-officio fees of sheriffs in all counties having a population of more than 37,900 and less than 38,000 according to the 1910 Federal census or any subsequent census where the assessed value of real and personal property in such counties exceeds ten million dollars and to provide for the payment of the same.

Delivered to the governor September 19th, 1919, at 3 o'clock P. M.

S. 509. For the relief of Rev. J. M. Johnson.

Delivered to the governor September 19th, 1919, at 3 o'clock P. M.

S. J. R. 120. Relating to Federal aid for the promotion or development of mines and mining, and mining engineering in the State of Alabama.

Delivered to the governor September 19th, 1919, at 3 o'clock P. M.

S. 280. To amend an act entitled "An act to provide and create a commission form of government and to authorize the adoption of the same in all cities and towns in the State of Alabama which now are not or hereafter may not be within the influence or operation of any other valid legislative enactment authorizing or adopting such form of government; to regulate the selection and election of commissioners and their terms of office and retention in and recall from office; to provide for the selection of one commissioner as mayor, and the retention in office of certain officials; to fix the powers, duties and compensations of such commissioners; to punish improper conduct in connection with elections and petitions hereunder; to abolish boards of public work, police commissioners, councilmen, aldermen and certain other city and town officials of such municipalities as adopt the said form of government; and generally to authorize and provide for the creation and maintenance of said commission form of government," approved April 8th, 1911, and as amended by an act approved Sept. 28, 1915, by amending the title thereof and by amending said act so that it shall apply to cities which have a population of exceeding fifty thousand five hundred and not more than one hundred thousand, according to the last Federal census, and which may hereafter have such population according to any Federal census hereafter taken, and to no others, by providing for the selection and election of a mayor and commissioners and fixing their terms of office and compensation, by abolishing certain offices, by fixing the powers, duties and liabilities of such mayor and commissioners, by creating certain new offices of such cities and providing for the selection of the incumbents thereof, and generally by prescribing a form of municipal government for such cities.

Delivered to the governor September 17th, 1919, at 11:30 A. M.

S. 442. To create the office of State fire marshal, and to provide for the appointment of deputy marshals and assistants; to define their powers and duties and to fix their compensation; provide ways and means for the enforcement of this act and penalties for violation thereof; and to provide means for defraying the expenses incurred under the provisions hereof.

Delivered to the governor September 19th, 1919, at 3 o'clock P. M.

S. 589. To establish inferior courts in lieu of all justices of the peace and notaries public with power of justice of the peace in precincts lying within or partly within the county seats of all counties in the State of Alabama having a population of not less than twenty-six thousand eight hundred and not exceed-

ing twenty-six thousand nine hundred according to the Federal census of 1910; provided said county seats have a population of fifteen hundred or more according to Federal census of 1910, or any subsequent Federal census; to define jurisdiction and powers of said courts and judges and officers thereof and to provide for a place of holding said courts, terms and salaries of the judges and officers of said courts, and the manner of their appointment or election and the payment of their salaries.

Delivered to the governor September 23rd, 1919, at 11:30 A. M.

S. 376. To authorize and empower all counties of Alabama which have or shall have taxable property in such counties of one hundred million of dollars annually, or more, according to any annual assessment to be made thereafter, to acquire, construct, purchase, own, lease, maintain, use, control, and operate highways, railroads, and terminals and all facilities and structures appurtenant thereto; for the performance of the obligation of warehousemen and common carrier in aid of commerce; to establish reasonable charges for such service; within its own territory; or across, on or through adjacent counties; to establish a commission as a county agency for the performance of this authority and power; to purchase and condemn private property for the above purpose; to dispose of net profits from the operation of the facilities herein described; that private capital shall not be prevented from engaging in the same enterprise; that the power and authority herein described shall become effective immediately upon the ratification of an amendment to the Constitution of Alabama.

Delivered to the governor September 23rd, 1919, at 11:30 A. M.

S. 479. To regulate and fix the compensation of witnesses before the grand jury and in all cases in the county court and circuit court of Clarke county.

Delivered to the governor September 23rd, 1919, at 11:30 A. M.

S. 364. To define lawful fences in all counties the population of which by the last Federal census was not less than 80,000 nor more than 82,000, shall be construed as follows:

Delivered to the governor September 23rd, 1919, at 11:30 A. M.

S. 375. To provide for the acquirement, construction, ownership, lease, maintenance, use, control and operation by counties of Alabama which have or which shall have taxable property in such counties of one hundred millions of dollars annually, or more, according to the assessments by such counties for the year of 1918 A. D., or according to the annual assessments to be here-

after made, of highways, of railroads—by any kind of motive power; freight stations; passenger stations; wharves; piers; docks; warehouses; grain elevators; storage tanks; team trucks; and all other facilities and structures appurtenant thereto, by the issue of bonds, not exceeding one per cent, in addition to the limit of county indebtedness, of such taxable property in such counties; the holding of elections to decide whether such counties shall issue such bonds; to authorize the county internal improvement commission, a county agency, to sell said bonds and to account to the board of revenue therefor of the county; to levy and collect a special tax, not exceeding twenty cents on each one hundred dollars of taxable property, to be in addition to the maximum rate prescribed; exemption from State, county and municipal taxation of such bonds; to become effective upon ratification of an amendment to the Constitution of Alabama; and same power to new counties formed from such counties.

Delivered to the governor September 23rd, 1919, at 11:30 A. M.

S. 461. To designate a certain public road of Alabama as a State trunk road, and to provide the means by which such State trunk road shall be improved and maintained.

Delivered to the governor September 23rd, 1919, at 11:30 A. M.

S. 351. To require the court of county commissioners or body of similar jurisdiction of Pike county, Alabama, to allow to the clerk of the circuit court of said county, three dollars per day during term times, as a preferred claim against the general fund of said county, for the purpose of paying an assistant employed by him to assist him in the performance of his duties as such clerk during the term times of circuit courts held in said county.

Delivered to the governor September 23rd, 1919, at 11:30 A. M.

S. 346. To authorize sheriffs of counties having a population of not less than 30,815 nor more than 30,915 according to the Federal census of 1910 or any subsequent Federal census, to employ jailors, and to prescribe their duties and fix their salaries.

Delivered to the governor September 23rd, 1919, at 11:30 A. M.

S. 288. To amend an act entitled an act to designate certain public roads of the State of Alabama, as State trunk roads, and to provide the manner in which such roads shall be located, improved and maintained.

Delivered to the governor September 23rd, 1919, at 11:30 A. M.

S. 377. To authorize cities and towns of over five thousand population according to the last Federal census, or which shall

have such population according to any Federal census taken thereafter, and situated in counties which have or which shall have, annually, taxable property in such counties of one hundred millions of dollars, or more, according to the assessments by such counties for the year A. D. 1918, or according to any annual assessments hereafter made, to acquire, construct, purchase, maintain, own, lease, use, control and operate railroads by any kind of motive power, and terminal facilities and other structures, appurtenant thereto, in aid of commerce and the transportation of passengers, within, across, in or through the territory of such counties inw hich such cities and towns are situated or adjacent counties, and to issue bonds, grant money and property to carry into execution these powers.

Delivered to the governor September 23rd, 1919, at 11:30 A. M.

S. J. R. 126. Relative to the rejection of the woman suffrage amendment.

Delivered to the governor September 23rd, 1919, at 11:30 A. M.

S. 383. To provide for the election of a county solicitor for Monroe county, to define his duties and fix his compensation.

Delivered to the governor September 23rd, 1919, at 11:30 A. M.

S. 452. To amend section 2686 of the Code of Alabama of 1907.

Delivered to the governor September 23rd, 1919, at 11:30 A. M.

S. 271. To provide for notice to the plaintiff of the filing of pleas of set-off, recoupment or any other plea upon which a judgment by default may be taken, and to regulate the taking of judgments by default on such pleas.

Delivered to the governor September 23rd, 1919, at 11:30 A. M.

S. 159. To provide and prescribe an additional mode of service in all proceedings in the courts of this State upon non-residents of this State, and upon residents of this State, who have been absent from the State for at least six months prior to the institution of such proceedings and upon any and all residents of this State, who conceal themselves so that process cannot be served upon them, and to declare the force and effect of such service; and to prescribe the time within which orders, judgments and decrees rendered in such proceedings upon such service shall become final.

Delivered to the governor September 23rd, 1919, at 11:30 A. M.

S. 470. To provide a complete educational system for the State of Alabama; to provide a public school fund; to provide for the administration of the public schools and create a State board of education and prescribe its powers and duties; to create county and city boards of education, to define their respective powers and duties, to provide for the payment of their necessary expenses and equipment, including furniture; to provide for the holding of elections for the one mill county tax on each dollar of taxable property under the Constitution of 1901; to provide for the holding of elections for the county tax of three mills or less on each dollar of taxable property under the amendment to the Constitution of 1901; to provide for the holding of elections for the district tax of three mills or less on each dollar of taxable property, and to prescribe the method of holding such elections; to prescribe the duties and powers of the State superintendent of education and to fix his compensation; to provide for the organization of the State department of education; to provide for the appointment of county superintendents of education, to define their duties and powers and to provide for their compensation; to provide for boards of school trustees; to provide for the appointment of city superintendents of education, to define their duties and powers, and to provide for their compensation; to provide for supervisors of schools in the various counties and cities, to fix their duties and powers, and provide for their compensation; to provide for the use of a bonus fund for counties levying and collecting a special county tax for school purposes, and to fix the amount in accordance with the rate of such special tax; to provide for a county treasurer of school funds; to provide for compulsory attendance upon the schools of the State within certain ages, to fix penalties, to provide for the appointment of attendance officers and to define their duties and fix their compensation and to provide the method of enforcing compulsory attendance within the ages prescribed; to provide for the certification of teachers, and to provide for the use of appropriations for the issuance of certificates and for the conduct of teachers' institutes, for the training of teachers in service, and provide the necessary clerical and other assistants; to provide financial assistance for the erection, repair and equipment of rural school-houses, and to prescribe the conditions under which such assistance may be obtained; to provide for the sale and conveyance of certain lands that have been conveyed to the State for school purposes; to provide for rural libraries throughout the State, including the method by which assistance may be obtained; to provide for vocational education and for the use of appropriations therefor; to provide for the removal of illiteracy among adults

as well as among minors, and for the use of appropriations therefor; to provide uniform textbooks throughout the State and to authorize the creation of a State textbook committee and to define its powers and duties; to provide for county high schools and prescribe the conditions under which such county high schools may obtain assistance from the State, and to authorize such county high schools to receive financial assistance from county boards of revenue, boards of education, school districts or private sources; to provide for county high school treasurer, to fix their bonds and prescribe their powers and duties and to provide for the payment of the premiums upon their bonds; to provide for county treasurers of school funds, to fix their bonds and prescribe their powers and duties and to provide for the payment of the premiums upon their bonds; to provide for changing the name of the nine branch agricultural schools and experiment stations, or district agricultural schools, and of the Northeast Alabama Agricultural and Industrial Institute to State secondary agricultural schools, to provide for their management and control and for their continuance upon the meeting of certain requirements and for the use of appropriations therefor; to provide for certain State normal schools and for their control and management and for the use of appropriations therefor; to provide for the creation of the Alabama School of Trades and Industry and for its control and management; to provide for changing the name of the Agricultural and Mechanical College for Negroes to Agricultural and Mechanical Institute for Negroes, and to provide for its management and control and for the use of appropriations therefor; to provide for changing the name of the school heretofore established at Montevallo as the Alabama Girls' Industrial School, later called the Alabama Girls' Technical Institute, to the name of the Alabama Technical Institute and College for Women; to create a board of trustees for such institute, to prescribe their powers and duties, their method of appointment, and length of service, and for the use of appropriations therefor; to provide for the management and control of the Alabama Polytechnic Institute, to define the powers and duties of the board of trustees, the method of appointment of such trustees, and for the use of appropriations to said institute; to provide for the management and control of the University of Alabama, to define the duties and powers of the trustees, the method of appointment of such trustees, and for the use of appropriations to the University; to provide for a summer school at the University of Alabama and for the use of appropriations therefor; to create a State council of education and to prescribe its powers and duties; to provide for the management and control of the Alabama Institute for the

Deaf; of the Alabama Academy for the Blind, and of the Alabama School for Negro Deaf and Blind, to create a board of trustees therefor and to provide for the method of their appointment and the length of service and for the use of appropriations therefor; to provide for the establishment and maintenance of the Alabama boys' industrial School, to provide for the management and control thereof, and for the appointment of a board of directors, to define their powers and duties and the method of committing boys thereto, and for the use of appropriations therefor; to provide for the maintenance and establishment of the Alabama School for Juvenile Negro Lawbreakers; to provide for the management and control thereof, and for the appointment of a board of directors, to define their powers and duties, and for the method of committing boys thereto, and for the use of appropriations for such school; to provide for the lease and sale of school lands in the State; to make certain requirements with reference to the bonds of officials and employees authorized under the provisions of this act; to require county and city boards of education to give regular instruction in all schools under their direction as to the nature of alcoholic drinks, tobacco and other narcotics; to require private, denominational and parochial schools to make reports; to provide penalties for the violation of the provisions of this act and to provide for the repeal of inconsistent laws enacted hereafter.

Delivered to the governor September 23rd, 1919, at 11:30 A.

M.

S. 309. To provide for the establishment and maintenance of a home for mental inferiors in Alabama; to define who are mental inferiors; to provide for their care, treatment, and training, and to appropriate the money necessary therefor from the State treasury.

Delivered to the governor September 23rd, 1919, at 11:30 A.

M.

S. 400. To fix the salary of the several circuit judges in Alabama.

Delivered to the governor September 23rd, 1919, at 6 o'clock

P. M.

S. 497. To provide for the election of county road engineers in counties having a population of not less than eighty nor more than eighty-two thousand according to the Federal census of 1910, or any subsequent Federal census, and to fix their duties and compensation; and to make the county solicitor or his assistant the legal advisor for the county board of revenue and the county road engineer.

Delivered to the governor September 23rd, 1919, at 6 o'clock

P. M.

S. 279. To fix the compensation of members of the courts of county commissioners and boards of revenue in all counties having a population of not less than 30,900 and not more than 30,975 according to the last Federal census or any future Federal census and to provide for the payment of the same.

Delivered to the governor September 23rd, 1919, at 6 o'clock P. M.

W. F. Miller,
Secretary.

REPORT OF THE SECRETARY.

On motion of Mr. Carmichael the above report was read at length to and adopted by the Senate.

ADJOURNMENT.

On motion of Mr. Morris, and pursuant to resolution heretofore adopted, the Senate, at 10 o'clock P. M., adjourned until 9 o'clock Saturday morning, September 27th, 1919.

FIFTIETH DAY.

Saturday, September 27th, 1919.

The Senate met pursuant to adjournment, Lieutenant Governor Miller presiding.

PRAYER.

By Rev. Br. Briscoe, of the Senate.

ROLL CALL.

Present:

Mr. President and

Messrs:

Acker	Carmichael	Harper	Prestwood
Baker	Cowan	Huddleston	Rogers (Lauderdale)
Beale	Craft	Kelly	Rogers (Sumter)
Bedsole	Ellis	Miller	Sims
Briscoe	Espy	Moore	Smith (Coosa)
Brown	Evins	Morris	Smith (Lawrence)
Caffey	Griffith	McDowell	Tally
Carlton	Gunter	Phillips	West

—32

JOURNAL.

On motion of Mr. Morris, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

RESOLUTION.

Mr. McDowell offered the following joint resolution:

S. J. R. 159. Be it resolved by the Senate, the House concurring, That when the acts of the Legislature of 1919, shall have been published, the Secretary of State is hereby directed to send to each senator, the Lieutenant Governor, Secretary and Assistant Secretary of the Senate, Clerk and Assistant Clerk of the House, and each representative, two copies of said Acts of 1919, together with one copy of the Journal of each house.

Which was, under a suspension of the rules, adopted.

MESSAGE FROM THE HOUSE.

Mr. President:

The House accedes to the request of the Senate for a Committee of Conference on the disagreement of the two houses on the Senate amendment to the bill:

S. 530. To make an appropriation for the relief of John W. Abercrombie.

And the Speaker names as conferees on part of the House Messrs. Tunstall, Van de Graff and Wilson.

Fred H. Gormley,
Clerk.

REPORT OF COMMITTEE OF CONERENCE.

To the Legislature of Alabama:

We, your Conference Committee in the matter of the disagreement of the two houses on Senate bill No. 530, "To make an appropriation for the relief of John W. Abercrombie," respectfully report:

We recommend that the House recede from its amendment and that the bill be amended as follows:

Amend by striking out "\$4,074.85" wherever said figures appear in said bill, and inserting in lieu thereof "Two thousand nine hundred thirty-one dollars and fifty-five cents" (\$2,931.55) and by striking out of said bill the words "with interest thereon at six per cent per annum from March 1, 1913."

W. P. Acker,
Riley Kelly,
Committee on part of the Senate.
A. M. Tunstall,
A. S. Van de Graff,
J. C. Wilson,
Committee on part of the House.

CONFERENCE REPORT.

On motion of Mr. Acker, the Senate concurred in and adopted the report of the Committee of Conference on the disagreement

of the two houses on the House amendment to Senate bill No. 530, the title of which is set out in the foregoing conference report.

Yeas, 22; nays, 1.

Yeas:

Messrs:

Acker	Carlton	Griffith	McDowell
Beale	Carmichael	Harper	Sims
Bedsole	Cowan	Kelly	Smith (Lawrence)
Briscoe	Ellis	Miller	Tally
Brown	Espy	Morris	West
Caffey	Evins		

—22

Nays:

Mr. Baker—1.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has amended as therein shown and as amended, has passed:

S. 585. To submit to the qualified voters of the State an amendment to section 93 of the Constitution of the State.

Also:

S. 336. To provide for the election of a county solicitor in all counties in Alabama having a population of not less than 30,800 and not more than 30,900, according to the Federal census of 1910, to fix his term of office and compensation, and prescribe his qualifications and duties.

Also:

S. 369. To authorize and empower the court of county commissioners, the board of revenue, or other governing body of the several counties of this State to issue interest bearing warrants of the county in settlement of debts or other obligations incurred in the construction or maintenance of public roads or necessary public buildings, or as a security for money borrowed for the payment of such debt or obligation and to issue and sell interest bearing warrants to secure funds for the payment of such debt or obligation and to regulate and prescribe the method of issuing such interest bearing warrants.

And returns same herewith to the Senate.

Fred H. Gormley,
Clerk.

HOUSE MESSAGE.

On motion of Mr. Baker the Senate concurred in the following amendment by the House to Senate bill No. 336, the title of

which is set out in the foregoing message from the House, to-wit:

Amend the caption of the bill, by adding the words "or any subsequent Federal census."

Amend section 1 of the bill by adding immediately after the words "Federal census of 1910" the words "or any subsequent Federal census."

Yeas, 23; nays, 0.

Yeas:

Messrs:

Acker	Caffey	Evins	Prestwood
Baker	Carlton	Griffith	Smith (Coosa)
Beale	Carmichael	Harper	Smith (Lawrence)
Bedsole	Cowan	Kelly	Tally
Briscoe	Ellis	Moore	West
Brown	Espy	McDowell	

—23

Nays:—None.

On motion of Mr. Acker, the Senate concurred in the following amendment by the House to Senate bill No. 369, the title of which is set out in the foregoing message from the House, to-wit:

Amend caption of bill by inserting after the word "roads" where it appears in line 7 of the caption, the words "or money borrowed for tick eradication."

Amend section 1 of the bill by inserting the words "or money borrowed for tick eradication," after the word "county" in line 9 of section 1 of the bill.

Yeas, 23; nays, 0.

Yeas:

Messrs:

Acker	Caffey	Evins	Morris
Baker	Carlton	Griffith	McDowell
Beale	Carmichael	Harper	Sims
Bedsole	Cowan	Kelly	Tally
Briscoe	Ellis	Miller	West
Brown	Espy	Moore	

—23

Nays:—None.

On motion of Mr. Craft the Senate concurred in the following amendment by the House to Senate bill No. 585, the title of which is set out in the foregoing message from the House, to-wit:

A BILL

To be entitled an act to submit to the qualified electors of the State an amendment to section 93 of the Constitution as amended in 1908.

Be it enacted by the Legislature of Alabama:

Section 1. That section 93 of the Constitution of the State of Alabama as amended in 1908 be and the same is hereby amended so as to read as follows, namely:

Section 93. The State shall not engage in works of internal improvement nor lend money or its credit in aid of such; nor shall the State be interested in any private or corporate enterprises or lend money or its credit to any individual, association or corporation, provided that the State may under appropriate laws cause the net proceeds from the convict fund to be applied to the construction, repair and maintenance of public roads in the State, and the Legislature may also make additional appropriations for that purpose; and provided further, that the foregoing prohibitions shall not apply to the promotion, developments or operation of harbors or seaports within the State or its jurisdiction, provided, further, that any such work or improvements shall always be and remain under the management and control of the State through its State harbor commission or other governing agency and provided further that the adoption of this amendment shall not affect any other amendment to the Constitution which may be adopted pursuant to any resolution of this session of the Legislature.

Section 2. The above proposed amendment shall be submitted to the qualified electors of the State at the next general election, for their consideration and ratification or rejection.

Yeas, 25; nays, 1.

Yeas:

Messrs:

Baker	Carmichael	Griffith	Phillips
Beale	Cowan	Gunter	Sims
Bedsole	Craft	Harper	Smith (Coosa)
Briscoe	Ellis	Miller	Smith (Lawrence)
Brown	Espy	Morris	Tally
Caffey	Evins	McDowell	West
Carlton			

—25

Nays:

Mr. Prestwood—1.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has adopted the following resolution:

H. R. 385. Resolved by the House, That the Senate be requested to return Senate bill No. 750 for further consideration.

And in compliance with this resolution, the House requests the return of this bill.

Fred H. Gormley,
Clerk.

HOUSE MESSAGE.

On motion of Mr. Acker, the Senate concurred in and adopted H. J. R. 385, set out in the foregoing message from the House, and the Secretary was directed to return said bill, S. 750, to the House.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill:

S. 657. To provide for the appointment of deputy registers and deputy clerks for circuit courts in judicial circuits composed of one county and having two or more judges and to prescribe the duties and fix the compensation and salary of such deputies.

And returns said bill to the Senate.

Fred H. Gormley,
Clerk.

HOUSE MESSAGE.

On motion of Mr. West, the Senate concurred in the following amendment by the House to Senate bill No. 657, the title of which is set out in the foregoing message from the House, to-wit:

Amend the bill by striking out the words "or more judges of said court" where they appear after the word "two" in the second line from the enacting clause and insert in lieu therefor the following: "and not more than three judges of said court."

Yeas, 24; nays, 0.

Yeas:

Messrs:

Acker	Caffey	Espy	Miller
Baker	Carlton	Evins	McDowell
Beale	Carmichael	Griffith	Phillips
Bedsole	Cowan	Gunter	Smith (Lawrence)
Briscoe	Craft	Harper	Tally
Brown	Ellis	Kelly	West

—24

Nays:—None.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has concurred in and adopted the report of the Committee of Conference on the disagreement of the two houses on the House amendment to the bill:

S. 530. To make an appropriation for the relief of John W. Abercrombie.

by a majority of the whole number elected to the House, the vote being: Yeas, 55; nays, 4.

Fred H. Gormley,
Clerk.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has passed the following Senate bills:

S. 762. To provide for the collection and distribution of license, privilege, income and franchise taxes which are required to be prorated among the State and any of the counties, cities and towns thereof.

Also:

S. 515. To amend section 3860 of the Civil Code of Alabama so as to authorize and provide the procedure for suits by the State of Alabama for the condemnation of lands for public uses.

Also:

S. 763. To provide an appropriation for the relief of needy Confederate soldiers, sailors and their widows.

Also:

S. 206. To amend sections 3, 4 and 5 of an act entitled, "An act to create a State harbor commission to be known as the 'State harbor commission,' define its jurisdiction, powers and duties and prescribe the mode of procedure and penalties for violation of this act, and to repeal all laws in conflict therewith." Approved September 25th, 1915.

And returns same herewith to the Senate.

Fred H. Gormley,
Clerk.

BILLS ON THIRD READING.

The bill:

H. 1037. To provide for the sale of the printed and bound volumes of the reports of the decisions of the Court of Appeals of Alabama.

Was read a third time at length and passed.

Yeas, 22; nays, 0.

Yeas:

Messrs:

Acker
Baker
Beale
Bedsole
Briscoe
Brown

Caffey
Carlton
Carmichael
Cowan
Espy
Evins

Harper
Kelly
Miller
Morris
McDowell

Prestwood
Sims
Smith (Lawrence)
Tally
West

—22

Nays:—None.

The bill:

H. 1036. To provide for the sale of the printed and bound volumes of the reports of the decisions of the Supreme Court of Alabama.

Was read a third time at length and passed.

Yeas, 23; nays, 0.

Yeas:

Messrs:

Acker	Caffey	Gunter	Rogers (Sumter)
Baker	Carlton	Harper	Sims
Beale	Carmichael	Kelly	Smith (Lawrence)
Bedsole	Cowan	Miller	Tally
Briscoe	Ellis	Morris	West
Brown	Espy	Phillips	

—23

Nays:—None.

The bill:

H. 1044. For the relief of W. J. Richardson, sheriff of Pickens county, Alabama, to pay him the sum of \$177.07 due him by the State of Alabama for extraordinary expenses incurred in the extradition of Charley Carpenter from Muskogee, Oklahoma, under authority from the governor of Alabama dated December 16, 1918.

Was read a third time at length and passed.

Yeas, 20; nays, 0.

Yeas:

Messrs:

Acker	Craft	McDowell	Sims
Beale	Ellis	Phillips	Smith (Coosa)
Briscoe	Griffith	Prestwood	Smith (Lawrence)
Caffey	Miller	Rogers (Lauderdale)	Tally
Carmichael	Morris	Rogers (Sumter)	West

—20

Nays:—None.

The bill:

H. 335. To amend section 813 of the Code of Alabama, as amended by section 3 of an act to amend sections 811, 812, 813, 814, 815, 818 and 819 of the Code of Alabama, approved September 28, 1915.

Was taken up.

Mr. Acker offered the following amendment to said bill:

Amend the bill by striking out fifteen thousand dollars and inserting in lieu thereof seven thousand five hundred dollars.

Which was adopted.

Yeas, 21; nays, 0.

Yeas:

Messrs:

Acker	Caffey	Evins	Phillips
Baker	Carlton	Griffith	Sims
Beale	Carmichael	Harper	Smith (Lawrence)
Bedsole	Craft	Morris	Tally
Briscoe	Espy	McDowell	West
Brown			

—21

Nays:—None.

And said bill, as thus amended, was read a third time at length and passed.

Yeas, 25; *nays*, 3.

Yeas:

Messrs:

Acker	Carmichael	Griffith	Phillips
Beale	Cowan	Gunter	Rogers (Sumter)
Bedsole	Craft	Harper	Sims
Briscoe	Ellis	Miller	Smith (Lawrence)
Brown	Espy	Morris	Tally
Caffey	Evins	McDowell	West
Carlton			

—25

Nays:

Messrs:

Baker	Prestwood	Smith (Coosa)
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—3

The bill:

H. 633. To provide a turn-out time for stock in beat 3, in Coffee county, Alabama.

Was read a third time at length and passed.

Yeas, 22; *nays*, 0.

Yeas:

Messrs:

Baker	Carlton	Evins	McDowell
Beale	Carmichael	Griffith	Prestwood
Bedsole	Cowan	Gunter	Sims
Briscoe	Craft	Harper	Tally
Brown	Ellis	Kelly	West
Caffey	Espy		

—22

Nays:—None.

The bill:

H. 256. To authorize and empower counties, cities and towns to appropriate moneys out of their general funds for the maintenance and support of municipal bands and other musical organizations for public entertainment.

Was read a third time at length and passed.

Yeas, 23; *nays*, 0.

Yeas:

Messrs:

Acker	Caffey	Evins	Morris
Baker	Carlton	Griffith	McDowell
Beale	Carmichael	Harper	Sims
Bedsole	Cowan	Huddleston	Smith (Lawrence)
Briscoe	Craft	Kelly	West
Brown	Ellis	Miller	

—23

Nays:—None.

REPORT FROM COMMITTEE ON ENROLLED BILLS.

Mr. President:

Your Standing Committee on Enrolled Bills, beg leave to report that said committee, in session, have compared the following enrolled bills, with the engrossed and original bills, respectively, and find same correctly enrolled, to-wit:

S. 749. To provide for the purchase or condemnation of a site and the erection of a building thereon for a Pasteur Institute and laboratory and the purchase of necessary or proper equipment therefor and to make appropriation for such purposes.

S. 651. To amend an act approved February 14, 1919, entitled, "An act to provide for extension work in agriculture and home economics by giving instruction to men, women, and young people in the several counties in Alabama, by continuing and improving farm demonstration work, by organizing market clubs, by organizing and supervising boys' corn and pig clubs, girls' canning clubs, women's clubs in home economics and by conducting other extension work through other means, all with a view to making farm life more profitable and attractive; to secure for Alabama the full amount of the funds conditionally appropriated by Congress under the Smith-Lever Extension act for extension work in agriculture and home economics; and to make appropriations for these purposes."

S. 654. To amend section 564 (1907) of the Code of Alabama.

S. 371. To amend section 2 of an act "To provide for the creation of the office of State prison inspector; to prescribe the duties and powers of such office; to provide for the necessary assistants to said inspector; to fix the compensation of such inspector and his assistants; to provide for the construction, the regulation, the management, the maintenance, the operation, the healthfulness, and the sanitation of all county jails, almshouses, and such town and city prisons as are in towns or cities of ten thousand or more population according to the last Federal census, under the supervision of said inspector, and to prescribe the

duties of the various public officials with respect thereto, and to provide punishment for violations of this act," approved April 8, 1911 (General Acts 1911, p. 356).

S. 739. To amend section 692 of the Code of Alabama.

S. 584. To authorize the governor to employ a special force of not more than ten men to serve under his immediate direction and control, to assist him in his duty of taking care that the laws of the State are faithfully executed, and to provide compensation for their services.

S. 714. To appropriate the sum of \$7,500.00 to supplement a fund of \$15,000.00 to be raised by the citizens of Blountsville to rebuild the Ninth District Agricultural School building, recently destroyed by fire.

S. 715. To make appropriation for the maintenance and support of the State Training School for Girls, and for the erection and equipment of buildings and furniture and equipment therefor.

S. 722. To make an appropriation to the Alabama illiteracy commission or to the State board of education, if created, for the removal of illiteracy in Alabama.

S. 733. To amend section 1780 of the Code of Alabama of 1907.

S. 732. To make an appropriation for the erection, repair and equipment of rural schoolhouses.

S. 726. To amend an act entitled an act "To create and establish a reform school for the training of juvenile negro lawbreakers at Mt. Meigs, Alabama; to make appropriation for the purpose, and accept by donation all such lands and buildings as are needful therefor; to create a board of trustees, and to provide for the suitable management of said institution." Approved April 24, 1911.

S. 728. To change the name of the Northeast Alabama Agricultural and Industrial Institute at Lineville and to make an appropriation for its maintenance and support.

S. 730. To amend sections 1941 and 1942 of the Code of Alabama of 1907.

S. 725. To amend section 8 of an act "To provide for the acceptance of the benefits of an act by the Senate and House of Representatives of the United States of America in Congress assembled, to provide for the promotion of vocational education; to provide for the appointment of a State board of vocational education; and to provide for the duties thereof; and to make appropriations for vocational education," approved February 15, 1919.

S. 724. To make an appropriation for the establishment of libraries in the rural, village and town schools of Alabama.

S. 723. To make an appropriation for the benefit of those counties that may be levying and collecting a special county school tax during any fiscal year, and to provide for the expenditure of the funds set apart for any county by the county board of education.

S. 721. To provide for appropriation to the Alabama School of Trades and Industries at Ragland.

S. 717. To make appropriations to the Alabama Boys Industrial School.

S. 719. To amend section 1946 of the Code of Alabama of 1907.

S. 716. To provide for making appropriations to the Alabama Polytechnic Institute.

S. 712. To make appropriations to the Alabama Girls Technical Institute.

S. 729. To change the name of each of the nine branch district agricultural schools and experiment stations and to make appropriations for their maintenance and support.

S. 720. To make an appropriation for the maintenance and supervision of county high schools.

S. 735. To make an appropriation to Tuskegee Normal and Industrial Institute.

S. 242. To repeal an act entitled an act to declare the twelfth day of October a legal holiday, to be known as "Columbus Day," approved March 4th, 1911, Acts 1911, page 91.

S. 548. To amend section 5869 of the Code of Alabama of 1907.

S. 532. To authorize the consolidation of contiguous territory in two or more adjoining counties into one school district; to provide for the management and control of the school or schools of such consolidated district; to provide for the levy and expenditure of funds and for the issuance of interest-bearing warrants for the erection, repair or equipment of school buildings in such consolidated district; to provide for the maintenance and support of the school or schools in such consolidated district, and to ratify and confirm local tax elections held in the territory consolidated prior to such consolidation.

S. 218. To submit to the qualified electors of this State at a special election to be held at the call of the governor after ninety days from the final adjournment of this Legislature for their consideration of an amendment to the Constitution for the purpose of authorizing the State to establish and maintain a State highway system of public roads and bridges, to issue interest bearing bonds therefor, to authorize the levy and collection of automobile or other motor driven vehicle taxes by the State for said pur-

poses and to provide for the establishment and maintenance of said State highway system, public roads and bridges according to such regulations as the Legislature may have prescribed or may hereafter prescribe.

S. 539. To amend an act entitled "An act to define dentistry; to provide for the regulation of the practice thereof; to provide for the examination of applicants to practice dentistry in Alabama; to provide for the issuing of license certificates and the registration and display thereof; to provide for reports by probate judges of said registrations; to provide for the revoking or refusing to issue said certificates; to provide a board of dental examiners of Alabama, provide for their election and prescribe their duties, powers, qualifications, terms of office and compensation; to provide for the disposition of fees collected by said board; to provide fees and funds for enforcing said act; to provide for enforcing said act; to allow the board of dental examiners of Alabama to enter into reciprocity agreements with like boards of other states; to provide penalties and punishment for the violation of the provisions of said act; to provide for any unconstitutionality of said act, and to repeal all general and local laws in conflict with said act," and approved August 31st, 1915, by amending sections 1 (A), 17 and 18 thereof, and by adding thereto an additional section.

S. 546. For the creation, organization and maintenance of stump and land clearing districts in the State of Alabama for the purpose of clearing and stumping land or lands, not now fitted for agricultural purposes, for sanitary or agricultural purposes, or when the same may be conducive to the public health, convenience or welfare or of public utility or benefit, by clearing or stumping or otherwise; to define the privileges, powers, duties and liabilities of such stump and land clearing districts, the officers and agents thereof; to provide for the levying of taxes upon the property in said clearing district or districts authorizing the issuance of bonds by such stump and land clearing districts; and giving to said stump and land clearing districts full power to acquire such machinery, tools, lands and property as may be necessary and proper for its purpose.

S. 358. To amend section 1 and 4 of an act approved April 18, 1911, and entitled, "An act to regulate the mining of coal in Alabama."

S. 718. To amend section 1952 of the Code of Alabama of 1907.

S. 528. To authorize the governor to provide a suitable site for the establishment of a sanatorium for the use of the Alabama Sanatorium for Consumption and Tuberculosis conditioned upon

the sale of the present site for such use located in Cullman county, Alabama, and consisting of about four hundred and sixty (460) acres heretofore acquired under the authority of section 777 of the Political Code of Alabama; also to authorize the governor to sell and convey the said land heretofore acquired for such site for each sanatorium; provided that the sanatorium to be so acquired may be located and established, with the governor's approval, on any lands suitable for such purpose, now owned by the State, and if so located and established on such lands now owned by the State, then the proceeds of such sale to be covered into the general funds of the treasury.

S. 306. To define optometry; to provide for the regulation of the practice thereof; to provide for the examination of applicants to practice optometry in Alabama; to provide for the issuing of licenses and certificates and the registration and display thereof; to provide for reports by probate judges of said registrations; to provide for a State board of optometry; to provide for the appointment of members thereof, and prescribe their duties, powers, qualifications, terms of office and compensation; to provide for the disposition of fees collected by said board; to provide fees and funds for enforcing said act; to provide for enforcing said act; to allow the board to enter into reciprocity agreements with like boards of other states; to provide penalties and punishment for violations of the provisions of said act; and to repeal all general and local laws in conflict with said act.

S. 736. To make an appropriation for the State normal school for colored teachers located at Montgomery.

S. 499. To make an appropriation for the purchase of grounds and buildings, for the erection of additional buildings, for the repair of buildings and improvements of grounds, and for the equipment of the State normal school at Daphne, Alabama.

S. 731. To make an appropriation to the State board of education.

S. 521. To create the department of examiners of accounts, to prescribe its powers, duties and functions; provide for the appointment of a chief examiner and assistant examiners; to regulate the duties and compensation of such officials and to provide clerical help for said department.

Chas. McDowell, Jr.,
Chairman.

SIGNING OF BILLS.

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by

a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the following bills:

S. 749. To provide for the purchase or condemnation of a site and the erection of a building thereon for a Pasteur Institute and laboratory and the purchase of necessary or proper equipment therefor and to make appropriation for such purposes.

S. 651. To amend an act approved February 14, 1919, entitled, "An act to provide for extension work in agriculture and home economics by giving instruction to men, women and young people in the several counties in Alabama, by continuing and improving farm demonstration work, by organizing marketing clubs, by organizing and supervising boys' corn and pig clubs, girls' canning clubs, women's clubs in home economics and by conducting other extension work through other means, all with a view to making farm life more profitable and attractive; to secure for Alabama the full amount of the funds conditionally appropriated by Congress under the Smith-Lever extension act for extension work in agriculture and home economics; and to make appropriations for these purposes."

S. 654. To amend section 564 (1907) of the Code of Alabama.

S. 371. To amend section 2 of an act "To provide for the creation of the office of State prison inspector; to prescribe the duties and powers of such office; to provide for the necessary assistants to said inspector; to fix the compensation of such inspector and his assistants; to provide for the construction, the regulation, the management, the maintenance, the operation, the healthfulness, and the sanitation of all county jails, almshouses, and such town and city prisons as are in towns or cities of ten thousand or more population according to the last Federal census, under the supervision of said inspector, and to prescribe the duties of the various public officials with respect thereto, and to provide punishment for violations of this act," approved April 8, 1911 (General Acts 1911, p. 356).

S. 739. To amend section 692 of the Code of Alabama.

S. 584. To authorize the governor to employ a special force of not more than ten men to serve under his immediate direction and control, to assist him in his duty of taking care that the laws of the State are faithfully executed, and to provide compensation for their services.

S. 714. To appropriate the sum of \$7,500.00 to supplement a fund of \$15,000.00 to be raised by the citizens of Blountsville to rebuild the Ninth District Agricultural School building, recently destroyed by fire.

S. 715. To make appropriation for the maintenance and support of the State Training School for Girls, and for the erection and equipment of buildings and furniture and equipment therefor.

S. 722. To make an appropriation to the Alabama illiteracy commission or to the State board of education, if created, for the removal of illiteracy in Alabama.

S. 733. To amend section 1780 of the Code of Alabama of 1907.

S. 732. To make an appropriation for the erection, repair and equipment of rural schoolhouses.

S. 726. To amend an act entitled an act "To create and establish a reform school for the training of juvenile negro lawbreakers at Mt. Meigs, Alabama; to make appropriation for the purpose, and accept by donation all such lands and buildings as are needful therefor; to create a board of trustees, and to provide for the suitable management of said institution." Approved April 24, 1911.

S. 728. To change the name of the Northeast Alabama Agricultural and Industrial Institute at Lineville and to make an appropriation for its maintenance and support.

S. 730. To amend sections 1941 and 1942 of the Code of Alabama of 1907.

S. 725. To amend section 8 of an act "To provide for the acceptance of the benefits of an act by the Senate and House of Representatives of the United States of America in Congress assembled, to provide for the promotion of vocational education; to provide for the appointment of a State board of vocational education; and to provide for the duties thereof; and to make appropriations for vocational education," approved February 15, 1919.

S. 724. To make an appropriation for the establishment of libraries in the rural, village and town schools of Alabama.

S. 723. To make an appropriation for the benefit of those counties that may be levying and collecting a special county school tax during any fiscal year, and to provide for the expenditure of the funds set apart for any county by the county board of education.

S. 721. To provide for appropriation to the Alabama School of Trades and Industries at Ragland.

S. 717. To make appropriations to the Alabama Boys Industrial School.

S. 719. To amend section 1946 of the Code of Alabama of 1907.

S. 716. To provide for making appropriations to the Alabama Polytechnic Institute.

S. 712. To make appropriations to the Alabama Girls Technical Institute.

S. 729. To change the name of each of the nine branch district agricultural schools and experiment stations and to make appropriations for their maintenance and support.

S. 720. To make an appropriation for the maintenance and supervision of county high schools.

S. 735. To make an appropriation to Tuskegee Normal and Industrial Institute.

S. 242. To repeal an act entitled ~~an act to declare the twelfth~~ day of October a legal holiday, to be known as "Columbus Day," approved March 4th, 1911, Acts 1911, page 91.

S. 548. To amend section 5869 of the Code of Alabama of 1907.

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S. 218. To submit to the qualified electors of this State at a special election to be held at the call of the governor after ninety days from the final adjournment of this Legislature for their consideration of an amendment to the Constitution for the purpose of authorizing the State to establish and maintain a State highway system of public roads and bridges, to issue interest-bearing bonds therefor, to authorize the levy and collection of automobile or other motor-driven vehicle taxes by the State for said purposes and to provide for the establishment and maintenance of said State highway system, public roads and bridges according to such regulations as the Legislature may have prescribed or may hereafter prescribe.

S. 539. To amend an act entitled "An act to define dentistry; to provide for the regulation of the practice thereof; to provide for the examination of applicants to practice dentistry in Alabama; to provide for the issuing of license certificates and the registration and display thereof; to provide for reports by probate judges of said registrations; to provide for the revoking or refusing to issue said certificates; to provide a board of dental examiners of Alabama, provide for their election and prescribe their duties, powers, qualifications, terms of office and compensa-

tion; to provide for the disposition of fees collected by said board; to provide fees and funds for enforcing said act; to provide for enforcing said act; to allow the board of dental examiners of Alabama to enter into reciprocity agreements with like boards of other states; to provide penalties and punishment for the violation of the provisions of said act; to provide for any unconstitutionality of said act, and to repeal all general and local laws in conflict with said act," and approved August 31st, 1915, by amending section 1 (A), 17, and 18 thereof, and by adding thereto an additional section.

S. 546. For the creation, organization and maintenance of stump and land clearing districts in the State of Alabama for the purpose of clearing and stumping land or lands, not now fitted for agricultural purposes, for sanitary or agricultural purposes, or when the same may be conducive to the public health, convenience or welfare or of public utility or benefit, by clearing or stumping or otherwise; to define the privileges, powers, duties and liabilities of such stump and land clearing districts, the officers and agents thereof; to provide for the levying of taxes upon the property in said clearing district or districts authorizing the issuance of bonds by such stump and land clearing districts; and giving to said stump and land clearing districts full power to acquire such machinery, tools, lands and property as may be necessary and proper for its purpose.

S. 358. To amend section 1 and 4 of an act approved April 18, 1911, and entitled, "An act to regulate the mining of coal in Alabama."

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S. 528. To authorize the governor to provide a suitable site for the establishment of a sanatorium for the use of the Alabama sanatorium for consumption and tuberculosis conditioned upon the sale of the present site for such use located in Cullman county, Alabama, and consisting of about four hundred and sixty (460) acres heretofore acquired under the authority of section 777 of the Political Code of Alabama; also to authorize the governor to sell and convey the said land heretofore acquired for such site, and out of the proceeds of such sale to purchase a suitable site for such sanatorium; provided that the sanatorium to be so acquired may be located and established, with the governor's approval, on any lands suitable for such purpose, now owned by the State, and if so located and established on such lands now owned by the State, then the proceeds of such sale to be covered into the general funds of the treasury.

S. 306. To define optometry; to provide for the regulation of the practice; to provide for the examination of applicants to practice optometry in Alabama; to provide for the issuing of licenses and certificates and the registration and display thereof; to provide for reports by probate judges of said registrations; to provide for a State board of optometry; to provide for the appointment of members thereof, and prescribe their duties, powers, qualifications, terms of office and compensation; to provide for the disposition of fees collected by said board; to provide fees and funds for enforcing said act; to provide for enforcing said act; to allow the board to enter into reciprocity agreements with like boards of other states; to provide penalties and punishments for violations of the provisions of said act; and to repeal all general and local laws in conflict with said act."

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S. 499. To make an appropriation for the purchase of grounds and buildings, for the erection of additional buildings, for the repair of buildings and improvements of grounds, and for the equipment of the State normal school at Daphne, Alabama.

S. 731. To make an appropriation to the State board of education.

S. 521. To create the department of examiners of accounts, to prescribe its powers, duties and functions; provide for the appointment of a chief examiner and assistant examiners; to regulate the duties and compensation of such officials and to provide clerical help for said department.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has reconsidered the vote by which it did on the last legislative day pass:

S. 750. To fix the compensation of the several State executive officers, officers of departments and boards, subordinate officers, clerks, watchmen and capitol servants.

And has reconsidered the vote by which the said bill was ordered to a third reading and has amended as therein shown and as amended has passed the said bill:

S. 750. To fix the compensation of the several State executive officers, officers of departments and boards, subordinate officers, clerks, watchmen and capitol servants.

Fred H. Gormley,
Clerk.

HOUSE MESSAGE.

On motion of Mr. Rogers of Sumter, the Senate concurred in the following amendment by the House to Senate bill No. 750, the title of which is set out in the foregoing message from the House, to-wit:

Amend bill so as to make subdivision 17 thereof read as follows: The salary of the chairman of the State tax commission shall be four thousand dollars (\$4,000.00) per annum.

Amend the bill so as to make subdivision 18 thereof read as follows: The salaries of the two associate members of the State tax commission shall be four thousand dollars (\$4,000.00) each per annum.

Amend the bill so as to make subdivision 20 thereof read as follows: The salary of the inspector of the child welfare department shall be three thousand dollars (\$3,000.00) per annum.

Amend the bill so as to make the subdivision 24 thereof read as follows: The salary of the chief examiner of public accounts shall be twenty-seven hundred dollars (\$2,700.00) per annum, the salaries of the six examiners of public accounts shall be twenty-four hundred dollars (\$2,400.00) each per annum. There shall be added to the above salaries an additional sum computed on a monthly basis of four dollars (\$4.00) per day for the chief examiner and each examiner for expenses.

Amend bill so as to make section 14 thereof read as follows: There shall be employed by the governor four watchmen for the capitol whose salaries shall be twelve hundred dollars (\$1,200.00) each per annum.

Amend bill so as to make section 18 thereof read as follows: There shall be employed in the office of the superintendent of banks, clerical assistants as follows: four bank examiners whose salaries shall be twenty-four hundred dollars (\$2,400.00) each per annum, one office assistant whose salary shall be eighteen hundred dollars (\$1,800.00) per annum, a stenographer whose salary shall be one thousand twenty dollars (\$1,020.00) per annum.

Amend bill so as to make section 22 thereof read as follows: There shall be employed in the office of the insurance commissioner clerical assistance as follows: A deputy insurance commissioner whose salary shall be twenty-four hundred dollars (\$2,400.00) per annum, a file clerk and stenographer whose salary shall be twelve hundred dollars (\$1,200.00) per annum, also a fire marshal whose salary shall be twenty-five hundred dollars (\$2,500.00) per annum and four assistant fire marshals whose salaries shall be eighteen hundred dollars (\$1,800.00) each per annum, to be paid out of the fire marshal fund.

Amend subsection 21 of section one of the bill so as to read as follows: The salary of the insurance commission shall be three thousand dollars (\$3,000.00) for every year.

Yeas, 24; nays, 0.

Yeas:

Messrs:

Beale	Cowan	Gunter	Phillips
Bedsole	Craft	Harper	Rogers (Lauderdale)
Briscoe	Ellis	Kelly	Rogers (Sumter)
Brown	Espy	Miller	Sims
Caffey	Evins	Moore	Tally
Carlton	Griffith	McDowell	West

—24

Nays:—None.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill:

S. 727. To provide for changing the name and for making an appropriation to the Huntsville State Normal and Industrial School, to be known as the Agricultural and Mechanical College for Negroes.

And returns said bill to the Senate.

Fred H. Gormley,
Clerk.

HOUSE MESSAGE.

On motion of Mr. Carmichael, the Senate non-concurred in the following amendment by the House to Senate bill No. 727, the title of which is set out in the foregoing message from the House, to-wit:

Amend section 1 of Senate bill 727 by striking out the words and figures "twenty thousand (\$20,000) dollars" where they appear and by inserting in lieu thereof "fifteen thousand (\$15,000) dollars."

And by striking out the words and figures: "and there is hereby appropriated for the removal of indebtedness on the said school the sum of fifteen thousand (\$15,000) dollars for the fiscal year ending September 30, 1921, and the like sum of fifteen thousand (\$15,000) dollars for the fiscal year ending September 30, 1922, out of any money in the State treasury not otherwise appropriated."

And requests a Committee of Conference. Pursuant to such request, the President of the Senate appointed Messrs. Carmichael, Espy and Smith of Coosa, as committee on part of the Senate.

REPORT OF CONFERENCE COMMITTEE.

To the Legislature of Alabama:

We, your Conference Committee on the differences between the two houses on Senate bill No. 748, "To make appropriations for the ordinary expenses for the executive, legislative and judicial departments of the State, for the interest on the public debt and for the public schools," respectfully report:

We recommend that the House recede from its several amendments and that the bill be amended as follows:

Strike out section 57 under the title "executive department."

Amend section 55 under the title "executive department" so that the same shall read as follows: "55. For compensation of four bank examiners and one office assistant twelve thousand dollars (\$12,000.00) for every year, or so much thereof as may be necessary."

Amend subdivision 15 under the title "judicial department" so that the same shall read as follows: "15. For the compensation of thirty-seven (37) circuit judges four thousand dollars (\$4,000.00) each for every year."

Amend subdivision 16 under the title "judicial department" so that the same shall read as follows: "16. For compensation of twenty-two (22) circuit solicitors twenty-four hundred dollars (\$2,400.00) each for every year."

Amend subdivision 17 under the title "judicial department" so that the same shall read as follows: "17. For compensation of one supernumerary judge four thousand dollars (\$4,000.00) per annum until the expiration of the term of the present incumbent."

Amend subdivision 8 under the title "judicial department" so that the same shall read as follows: "8. For compensation of marshal and librarian of the Supreme Court three thousand dollars (\$3,000.00) for every year."

Amend subdivision 32 under the title "miscellaneous appropriations" so that the same shall read as follows: "32. For compensation of fire marshal twenty-five hundred dollars (\$2,500.00) for every year, and for four (4) assistant fire marshals eighteen hundred dollars (\$1,800.00) each for every year, to be paid out of the fire marshal fund."

Strike out section 37 under the title "miscellaneous appropriations."

Amend subdivision 41 under the title "miscellaneous appropriations" so that the same shall read as follows: "41. For compensation of the chief examiner of public accounts twenty-seven hundred dollars (\$2,700.00) for every year."

Amend subdivision 42 under the title "miscellaneous appropriations" so that the same shall read as follows: "42. For compensation of six (6) assistant examiners of public accounts twenty-four hundred dollars (\$2,400.00) each for every year."

Amend subdivision 44 under the title "miscellaneous appropriations" so that the same shall read as follows: "44. For compensation of the director of the child welfare department three thousand dollars (\$3,000.00) for every year."

Strike out subdivision 53 under the title "miscellaneous appropriations."

Amend subdivision 54 under the title "miscellaneous appropriations" so that the same shall read as follows: "54. For compensation of county tax adjusters of the several counties of the State of Alabama eighty thousand dollars (\$80,000.00) for every year, or so much thereof as may be necessary."

Amend subdivision 6 under the title "judicial department" so that the same shall read as follows: "6. For compensation of the clerk of the Court of Appeals three thousand dollars (\$3,000.00) for every year."

W. T. Murphree,

O. L. Tompkins,

D. B. Cobbs,

Committee on part of the House.

W. R. Butler,

W. P. Acker,

Watt T. Brown,

Committee on part of the Senate.

CONFERENCE REPORT.

On motion of Mr. Brown, the Senate concurred in and adopted the foregoing report of the Committee of Conference on the disagreement of the two houses on the House amendments to Senate bill No. 748, the title of which is set out in said conference report.

Yeas, 22; nays, 1.

Yeas:

Messrs:

Beale	Craft
Bedsole	Espy
Briscoe	Evins
Brown	Griffith
Caffey	Gunter
Cowan	Harper

Kelly

Miller

Morris

Phillips

Rogers (Lauderdale)

Rogers (Sumter)

Sims

Smith (Lawrence)

Tally

West

—22

Nays:

Mr. Baker—1.

MESSAGE FROM THE HOUSE.

Mr. President:

The Speaker having signed the following House bills your signature thereto is requested:

H. 426. To amend sections 1 and 2 and 5 of an act entitled, "An act to amend the title and sections 1, 3, 4, 5, 6, 9, 14, 15, 20, 21, 23, 25, 26, 30, 33, 34, 39, 41, 45, and 46, and to repeal sections 31 and 32 of: An act entitled 'An act to create a banking department of the State of Alabama, and through this department to regulate, examine and supervise banks and banking, and to punish certain prohibited acts relating thereto,' approved March 2nd, 1911," approved February 15th, 1915.

Also:

H. 441. To amend section 3453 of the Code of Alabama of 1907.

Also:

H. 1131. To fix the salaries of the chairman and two associate members of the State tax commission, and to prescribe the manner of payment of same.

Also:

H. 578. To authorize the court of county commissioners, board of revenue, or other governing body of any county in this State which has outstanding an indebtedness evidenced by warrants which have been regularly issued and registered, to settle, adjust and refund the same, and for that purpose to issue new warrants of said county.

Also:

H. 1033. To require the superintendent, manager, intern, or other person in control or in charge of hospitals, and physicians, treating injured persons, to report, to the chief of police and sheriff, any and all injured persons coming into such hospital, in counties having a population of two hundred thousand or more, according to the last Federal census or any future Federal census and to fix penalties for the violation thereof.

Also:

H. 783. To repeal an act to require the commissioners' court of Morgan county, to work all the county convicts of said county on the public roads of said county passed by the Legislature of Alabama at the session of 1911 and approved on March 11th, 1911.

Also:

H. 905. To provide that in all counties having a population of not less than 22,750 and not more than 23,000, according to the last preceding Federal census, or any subsequent census, the

informer shall receive one-half of the fine in all cases of conviction for violation of the prohibition law and to provide for the payment of same in such counties.

Also:

H. 324. To provide a fund for support of a law library for the circuit court in counties of two hundred thousand or more inhabitants, without appropriations from the State or county treasury.

Also:

H. 903. For the relief of Robert Thrasher.

Also:

H. 955. To provide for the relief of L. F. Jackson and to authorize the payment to him of the sum of one hundred dollars out of the fine and forfeiture fund of Jefferson county, same having been paid by him upon the forfeiture of a bond of Judge Morrow.

Also:

H. 380. To regulate the taking of non suits in suits at law in all the courts of the State of Alabama.

Also:

H. 344. To amend section 3617 of the Code of Alabama of 1907.

Also:

H. 1057. To appropriate \$186.08 to be paid to Montgomery Fair, a corporation, in payment of debts due said corporation by the State of Alabama, for supplies, contracted prior to January 1, 1915, by the following departments, for the following amounts: Convict department, \$7.20; department of agriculture, \$7.96; department of immigration, \$9.00; Court of Appeals, \$30.17; maintenance department, \$131.75.

Also:

H. 590. To regulate the office of tax collector in all counties of the State of Alabama which has a population of as much as 33,781 and not more than 33,800 according to the last or any succeeding Federal census and fix the compensation of such tax collectors and to provide for the payment thereof.

Also:

H. 523. To provide for holding district and county fairs for boys' agricultural and girls' home demonstration clubs; to prescribe the manner in which they shall be held; to create boards of directors for district and county fairs for boys' agricultural and girls' home demonstration clubs in each county; to create fair districts for boys' agricultural and girls' home demonstration clubs in each county; to create fair district committees for boys' agricultural and girls' home demonstration clubs in each county;

to provide for holding meetings of instruction for members of the boys' agricultural and girls' home demonstration clubs; to make appropriations for such fairs and to prescribe methods for drawing and spending same.

Also:

H. 869. To amend section 3643 of the Code of Alabama 1907.

Also:

H. 860. To create the office of county solicitor in all counties having a population of not less than eighteen thousand one hundred and twenty-five and not more than eighteen thousand nine hundred according to the Federal census of 1910, or any subsequent Federal census, and to provide for the election of such solicitor by the qualified electors of such counties and prescribe his qualifications and duties and fix his compensation.

Also:

H. 776. To limit the number of days for which members of the court of county commissioners of Crenshaw county may be paid for services as members of said court, for mileage in going to and from said court, for their services rendered in the discharge of their duties in letting out, inspecting and accepting, building or repairing of any county bridges of county buildings or works, and mileage necessarily traveled by them in so doing, during any one year, or part of a year; to say when this act shall go into effect; and to repeal all laws and parts of laws in conflict with the provisions of this act insofar as Crenshaw county is concerned.

Also:

H. 867. To establish a trunk highway beginning at Cullman, Cullman county, and running to Commercial, Walker county, Alabama.

Also:

H. 231. To amend section 1 of an act entitled an act to designate certain public roads of the State of Alabama as State trunk roads, and to provide the manner in which such roads shall be located, improved and maintained. Approved September 10, 1915.

Also:

H. 368. To make an appropriation for the support and maintenance of the Alabama tuberculosis commission, created and incorporated under and by virtue of a certain act of the Legislature of Alabama, and approved September 22, 1915, entitled: An act to prevent the spread of tuberculosis by the creation of a tuberculosis commission, to provide for its organization and work and to authorize the erection and maintenance of local hospitals under its supervision.

Also:

H. 591. To regulate the office of tax assessor in all counties of the State of Alabama which has a population of as much as 33,781 and not more than 33,800 according to the last Federal census and fix the compensation of such tax assessors and to provide for the payment thereof.

Also:

H. 642. To amend an act entitled an act "To provide for the hiring, management, control and inspection of county convicts, approved November 30th, 1907.

Also:

H. 8. To regulate the sale of standing timber, fix time limit for cutting and removing same, providing a right-of-way for cutting and removing timber and providing for the reversion of the title after the time limit expires.

Also:

H. 433. To limit the liability of a bank for non-payment of a check through error.

Also:

H. 946. To authorize banks and trust companies doing a banking business to consolidate or merge with other such institutions or to transfer their places of business to other towns or cities, within this State, upon the approval of the superintendent of banks, and to prescribe the procedure.

Also:

H. 491. To authorize and empower commissioners courts and boards of revenue or other like governing boards of each county in Alabama to make appropriations to pay premiums on live stock which may be exhibited in live stock shows in said county.

Also:

H. 1035. To amend section 3793 of the Code of 1907.

Also:

H. 202. To amend section 5888 of the Code of Alabama, 1907.

Also:

H. 893. To provide for and authorize the appointment of a special judge in circuits composed of only one county, and having more than three circuit judges in cases of incompetency of the regular judge, or his temporary inability to act.

Also:

H. 600. Regulating the fine and forfeiture fund of Coffee county.

Also:

H. 719. To create and designate an additional trunk road, extending from Cullman, in the county of Cullman, west by Ad-

dison, thence south to Jasper and from Jasper south through Gurganus to Tuscaloosa in Tuscaloosa county, and to confer upon said road all the rights and privileges now extended to trunk roads in this State.

Also:

H. 1056. To fix the salary of all judges of probate in all counties in this State which now have, or which may hereafter have a population of as much as eighty-two thousand people and less than two hundred thousand people according to the last Federal census or any such census which may hereafter be taken, who are now or may hereafter be paid on a salary basis, and also for clerical help and other expenses and to provide for payment thereof.

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Also:

H. 969. To amend an act entitled "An act to provide for the establishment, discontinuance, construction, use, working and maintenance of the public roads, bridges, and ferries of the several counties of this State; to define the duties and powers of the boards of revenue, courts of county commissioners, or other governing bodies of each of the several counties with regard to same; and to fix penalties for the violation of the rules, regulations and laws of the boards of revenue, courts of county commissioners or other like governing bodies of the several counties, approved September 22, 1915.

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H. 803. To regulate and provide for the payment of claims against the fine and forfeiture fund of Autauga county, Alabama.

Also:

H. 1027. To validate and make legal all bonds of the city of Athens, Alabama, issued or to be issued, bearing a rate of interest at the rate of six per centum per annum and to run for a period of thirty years, provided a majority of the qualified electors of said city, voting in such election, have at an election held for such purpose, voted in favor of the issuance thereof, and provided, such election was held prior to July 1st, 1919.

Also:

H. 577. To further prescribe the qualifications and duties of directors of banks and trust companies doing a banking business in this State.

Also:

H. 128. To amend chapter 230 of the Code of Alabama, of 1907, relating to hotels and innkeepers; and to include therein regulations of cafes, restaurants and eating places.

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Also:

H. 694. To repeal insofar as it relates to Crenshaw county an act entitled, "An act to require all fees collected by sections 6655 and 6656 of the Code, in the county court to be paid into the county treasury; to provide a fund out of which the judge of the county court shall be paid, and to fix the amount of such salaries." Approved September 18, 1915.

Also:

H. 704. To amend section 3465 of the Code of Alabama.

Also:

H. 939. To confer additional criminal jurisdiction on inferior courts or courts established in lieu of justices of the peace by whatsoever name called, on which courts criminal jurisdiction is now by law conferred, in counties having a population of over one hundred and fifty thousand, according to the last or any subsequent Federal census.

Also:

H. 1040. To authorize and direct the sheriffs of all counties having a population of not less than 26,940 nor more than 27,000 according to the last Federal census or any subsequent census, to employ a janitor to keep the jail and grounds of said jails in a cleanly and sanitary condition; and to authorize and direct the boards of revenue or commissioners court of said counties to pay the monthly salaries of said janitors by warrants issued therefor by the said boards of revenue or like governing bodies.

Also:

H. 453. To require banks and trust companies doing a banking business, to set aside at least 10% of their net earnings each

year to a surplus fund, until such fund shall be equal to at least 20% of the capital stock, and to provide penalties for failure.

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H. 613. To regulate the traffic in seed cotton in the several counties of Alabama and to provide for penalties for violating the same.

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H. 973. To create the office of county treasurer for Shelby county, to provide for his election and the filling of vacancies, to prescribe his duties and compensation.

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H. 965. To amend an act to designate certain public roads of the State of Alabama as State trunk roads and to provide the manner in which such roads shall be located, improved and maintained, enacted by the Legislature of Alabama, approved September 10th, 1915.

Also:

H. 432. Defining as the exercise of due diligence the forwarding of a check direct to payer.

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H. 964. To amend an act to designate certain public roads of the State of Alabama as State trunk roads and to provide the manner in which such roads shall be located, improved and maintained.

Also:

H. 641. To provide for the establishment, discontinuance, construction, use, working and maintenance of the public roads and bridges of Fayette county, Alabama; to define the duties and powers of the court of county commissioners, or other governing body of Fayette county with regard to the same; to fix penalties for the violation of the rules, regulations and laws of the court of county commissioners or other like governing body of said county; to provide for the better building, maintenance and protection of the public roads and bridges of Fayette county; to provide funds, regulations and penalties to carry the provisions and purposes of this act into effect; to provide for the more efficient working, construction and repair of the public roads, and bridges in Fayette county, Alabama; to provide for the appointment of road foremen in the several precincts in the county, and to fix their compensation and define their duties and powers and penalties for violation thereof; to provide for a commutation fee in lieu of working the roads; to provide for the levy of a special tax of five per cent of one-fourth of one per centum now allowed

by law on all taxable property, to be used exclusively for maintaining and repairing public roads and bridges in Fayette county; to create a separate and special road fund for said county, and to prevent obstruction and damage to the public roads and bridges of said county, and to provide penalties for all violations of the road laws.

Also:

H. 974. To further provide for the prevention and suppression of diseases and parasites, among cattle, horses, mules, asses and hogs, such as hog cholera, glanders, cattle fever tick, foot and mouth disease, and other infectious and communicable diseases and parasites by requiring all railroad cars in which animals are transported in Alabama, from points within the quarantined area as defined by the United States department of agriculture or by the State live stock sanitary board, to be cleaned and disinfected.

Also:

H. 555. To divide the State into judicial circuits for the circuit court, to be numbered and composed of the counties named.

Also:

H. 878. To amend section 211 of the Code of Alabama down through subdivisions 1 and 2 thereof.

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H. 228. To authorize courts of county commissioners or boards of revenue of any county, in which the State or Federal authorities shall take or have taken up the work of farm demonstration or the organization of farm life clubs, to appropriate funds for aiding in such work.

Also:

H. 553. To provide for the revision, codification, digesting, and promulgation of the public statutes of this State, both civil and criminal.

Also:

H. 750. To designate a part of the Alabama State trunk highway, beginning on the Mississippi State line, where the Amory and Smithville road crossed the state line, thence across the State of Alabama, to the city of Attalla, intersecting the highway to Gadsden, Rome, Georgia, and Cedartown, Georgia, as a State trunk highway, and to provide that the said State trunk highway, created by the provisions of this act, shall receive such benefits as other State trunk highways heretofore established.

Also:

H. 911. To make an appropriation for the control and eradication of tuberculosis, hog cholera and all other infectious and contagious animal diseases and the materials or things that may spread or carry the cause of such diseases of live stock.

Also:

H. 512. To provide for absent qualified electors of the State of Alabama to vote in any general, special or municipal election in this State while absent from the State or from the county or precinct in which he is a qualified elector; to provide the method of carrying out such provision; and to require election officers and others charged with duties hereunder to perform duties in connection therewith.

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H. 819. For the relief of A. P. White, Sr., ex-sheriff of Dale county, Alabama, for the paying of the expense of a guard to the State of Florida for bringing back one Marvin Giddendannah, charged with assault with intent to murder in the circuit court of Dale county, Alabama, for which he was convicted and sent to the penitentiary for fifteen years.

Also:

H. 307. For the relief of Watt T. Brown for amount paid to the State for lands it did not own at the time of the sale to said Watt T. Brown.

Also:

H. 692. To provide for the annexation of Bay, Calhoun, Escambia, Holmes, Jackson, Okaloosa, Santa Rosa, Walton and Washington counties in west Florida to the State of Alabama, with the assent of the State of Florida and the Congress of the United States.

Also:

H. 1068. To vacate the dedication of all streets, roads, avenues and alleys through, over, on or across the following described property, situated in the county of Montgomery and State of Alabama, to-wit: Beginning at the half mile corner in the center of section ten (10), township sixteen (16), range seventeen (17); thence west twenty-one hundred forty-five (2,145) feet to the right of way of the Mobile & Ohio railroad; thence along said railroad right of way north forty (40°) degrees thirty (30') minutes west twenty-eight hundred two (2,802) feet; thence and continue with said railroad right of way north forty-two and one-half (42½°) degrees west one hundred ninety-four (194) feet to a stake; thence north forty-nine (49°) degrees thirty (30') minutes east twelve hundred forty-three (1,243) feet;

thence north seventy-two and one-half ($72\frac{1}{2}^{\circ}$) degrees east six hundred three (603) feet; thence north forty-four (44°) degrees nine hundred sixty-two (962) feet to the Washington Ferry road; thence along the west side of said road south fifty-three and one-half ($53\frac{1}{2}^{\circ}$) degrees east nine hundred (900) feet; thence and continue with said road south forty-five and one-half ($45\frac{1}{2}^{\circ}$) degrees east two hundred twenty-five (225) feet; thence and continue with said road south thirty-nine (39°) degrees thirty (30') minutes east five hundred (500) feet; thence and continue with said road south thirty (30') minutes east one hundred one (101) feet; thence and continue with said road south sixteen (16°) degrees east five hundred (500) feet; thence and continue with said road south thirty (30') minutes east five hundred (500) feet; thence and continue with said road south twenty (20°) degrees east one hundred eighty (180) feet; thence and continue with said road south twenty-seven (27°) degrees east eighty-nine (89) feet to a stake; thence south one (1°) degree west five hundred eighty-one (581) feet to a stake; thence east three hundred seventy-seven (377) feet to a stake; thence south along the half section line five hundred eighty-seven (587) feet and to a point three hundred seventy-three (373) feet north of the said center of section ten (10); thence south fifty-seven and one-half ($57\frac{1}{2}^{\circ}$) degrees east ninety-four (94) feet; thence south eighty-six (86°) degrees east eight hundred nineteen (819) feet; thence south fifteen (15°) degrees east two hundred sixty-four (264) feet to a stake; thence west forty-one (41) feet; thence south fifteen (15°) degrees east two thousand sixty-five (2,065) feet to the Selma road, thence along said road south seventy-five (75°) degrees west five hundred seven (507) feet; thence south fifty-four (54°) degrees west one hundred forty-two (142) feet along the said road, thence and continue with said Selma road south forty-four (44°) degrees west five hundred forty-three (543) feet to the intersection of the right of way of the Mobile & Ohio railroad; thence along and with the curvature of said railroad right of way north seventy-two (72°) degrees west two hundred seventy (270) feet; thence and continue with said railroad right of way north sixty-five and one-half ($65\frac{1}{2}^{\circ}$) degrees west two hundred forty-five (245) feet to the half section line dividing section ten (10); thence north along said half section line twenty-four hundred twenty (2,420) feet to the center of section ten (10), township sixteen (16), range seventeen (17), the said point of beginning.

Also:

H. 540. To provide bathing facilities for coal miners in this State.

Also:

H. 890. To fix the salary of deputy solicitors serving in counties having a population of not less than 26,940 nor more than 27,000, according to the last preceding Federal census or any subsequent Federal census.

Fred H. Gormley,
Clerk.

SIGNING OF BILLS.

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate signed the following bills:

H. 426. To amend sections 1 and 2 and 5 of an act entitled, "An act to amend the title and sections 1, 3, 4, 5, 6, 9, 14, 15, 20, 21, 23, 25, 26, 30, 33, 34, 39, 41, 45, and 46, and to repeal sections 31 and 32 of: An act entitled 'An act to create a banking department of the State of Alabama, and through this department to regulate, examine and supervise banks and banking, and to punish certain prohibited acts relating thereto,' approved March 2nd, 1911," approved February 15th, 1915.

Also:

H. 441. To amend section 3453 of the Code of Alabama of 1907.

Also:

H. 1131. To fix the salaries of the chairman and two associate members of the State tax commission, and to prescribe the manner of payment of same.

Also:

H. 578. To authorize the court of county commissioners, board of revenue, or other governing body of any county in this State which has outstanding an indebtedness evidenced by warrants which have been regularly issued and registered, to settle, adjust and refund the same, and for that purpose to issue new warrants of said county.

Also:

H. 1033. To require the superintendent, manager, intern, or other person in control or in charge of hospitals, and physicians, treating injured persons, to report, to the chief of police and sheriff, any and all injured persons coming into such hospital, in counties having a population of two hundred thousand or more, according to the last Federal census or any future Federal census and to fix penalties for the violation thereof.

Also:

H. 783. To repeal an act to require the commissioners' court of Morgan county, to work all the county convicts of said county on the public roads of said county passed by the Legislature of Alabama at the session of 1911 and approved on March 11th, 1911.

Also:

H. 905. To provide that in all counties having a population of not less than 22,750 and not more than 23,000, according to the last preceding Federal census, or any subsequent census, the informer shall receive one-half of the fine in all cases of conviction for violation of the prohibition law and to provide for the payment of same in such counties.

Also:

H. 324. To provide a fund for support of a law library for the circuit court in counties of two hundred thousand or more inhabitants, without appropriations from the State or county treasury.

Also:

H. 903. For the relief of Robert Thrasher.

Also:

H. 955. To provide for the relief of L. F. Jackson and to authorize the payment to him of the sum of one hundred dollars out of the fine and forfeiture fund of Jefferson county, same having been paid by him upon the forfeiture of a bond of Judge Morrow.

Also:

H. 380. To regulate the taking of non suits in suits at law in all the courts of the State of Alabama.

Also:

H. 344. To amend section 3617 of the Code of Alabama of 1907:

Also:

H. 1057. To appropriate \$186.08 to be paid to Montgomery Fair, a corporation, in payment of debts due said corporation by the State of Alabama, for supplies, contracted prior to January 1, 1915, by the following departments, for the following amounts: Convict department, \$7.20; department of agriculture, \$7.96; department of immigration, \$9.00; Court of Appeals, \$30.17; maintenance department, \$131.75.

Also:

H. 590. To regulate the office of tax collector in all counties of the State of Alabama which has a population of as much as 33,781 and not more than 33,800 according to the last or any succeeding Federal census and fix the compensation of such tax collectors and to provide for the payment thereof.

Also:

H. 523. To provide for holding district and county fairs for boys' agricultural and girls' home demonstration clubs; to prescribe the manner in which they shall be held; to create boards of directors for district and county fairs for boys' agricultural and girls' home demonstration clubs in each county; to create fair districts for boys' agricultural and girls' home demonstration clubs in each county; to create fair district committees for boys' agricultural and girls' home demonstration clubs in each county; to provide for holding meetings of instruction for members of the boys' agricultural and girls' home demonstration clubs; to make appropriations for such fairs and to prescribe methods for drawing and spending same.

Also:

H. 869. To amend section 3643 of the Code of Alabama 1907.

Also:

H. 860. To create the office of county solicitor in all counties having a population of not less than eighteen thousand one hundred and twenty-five and not more than eighteen thousand nine hundred according to the Federal census of 1910, or any subsequent Federal census, and to provide for the election of such solicitor by the qualified electors of such counties and prescribe his qualifications and duties and fix his compensation.

Also:

H. 776. To limit the number of days for which members of the court of county commissioners of Crenshaw county may be paid for services as members of said court, for mileage in going to and from said court, for their services rendered in the discharge of their duties in letting out, inspecting and accepting, building or repairing of any county bridges of county buildings or works, and mileage necessarily traveled by them in so doing, during any one year, or part of a year; to say when this act shall go into effect; and to repeal all laws and parts of laws in conflict with the provisions of this act insofar as Crenshaw county is concerned.

Also:

H. 867. To establish a trunk highway beginning at Cullman, Cullman county, and running to Commercial, Walker county, Alabama.

Also:

H. 231. To amend section 1 of an act entitled an act to designate certain public roads of the State of Alabama as State trunk roads, and to provide the manner in which such roads shall be located, improved and maintained. Approved September 10, 1915.

Also:

H. 368. To make an appropriation for the support and maintenance of the Alabama tuberculosis commission, created and incorporated under and by virtue of a certain act of the Legislature of Alabama, and approved September 22, 1915, entitled: An act to prevent the spread of tuberculosis by the creation of a tuberculosis commission, to provide for its organization and work and to authorize the erection and maintenance of local hospitals under its supervision.

Also:

H. 591. To regulate the office of tax assessor in all counties of the State of Alabama which has a population of as much as 33,781 and not more than 33,800 according to the last Federal census and fix the compensation of such tax assessors and to provide for the payment thereof.

Also:

H. 642. To amend an act entitled an act "To provide for the hiring, management, control and inspection of county convicts, approved November 30th, 1907.

Also:

H. 8. To regulate the sale of standing timber, fix time limit for cutting and removing same, providing a right-of-way for cutting and removing timber and providing for the reversion of the title after the time limit expires.

Also:

H. 433. To limit the liability of a bank for non-payment of a check through error.

Also:

H. 946. To authorize banks and trust companies doing a banking business to consolidate or merge with other such institutions or to transfer their places of business to other towns or cities, within this State, upon the approval of the superintendent of banks, and to prescribe the procedure.

Also:

H. 491. To authorize and empower commissioners courts and boards of revenue or other like governing boards of each county in Alabama to make appropriations to pay premiums on live stock which may be exhibited in live stock shows in said county.

Also:

H. 1035. To amend section 3793 of the Code of 1907.

Also:

H. 202. To amend section 5888 of the Code of Alabama, 1907.

Also:

H. 893. To provide for and authorize the appointment of a special judge in circuits composed of only one county, and having more than three circuit judges in cases of incompetency of the regular judge, or his temporary inability to act.

Also:

H. 600. Regulating the fine and forfeiture fund of Coffee county.

Also:

H. 719. To create and designate an additional trunk road, extending from Cullman, in the county of Cullman, west by Addison, thence south to Jasper and from Jasper south through Gurganus to Tuscaloosa in Tuscaloosa county, and to confer upon said road all the rights and privileges now extended to trunk roads in this State.

Also:

H. 1056. To fix the salary of all judges of probate in all counties in this State which now have, or which may hereafter have a population of as much as eighty-two thousand people and less than two hundred thousand people according to the last Federal census or any such census which may hereafter be taken, who are now or may hereafter be paid on a salary basis, and also for clerical help and other expenses and to provide for payment thereof.

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vide funds, regulations and penalties to carry the provisions and purposes of this act into effect; to provide for the more efficient working, construction and repair of the public roads and bridges in Fayette county, Alabama; to provide for the appointment of road foremen in the several precincts in the county, and to fix their compensation and define their duties and powers and penalties for violations thereof; to provide for a commutation fee in lieu of working the roads; to provide for the levy of a special tax of five per cent of one-fourth of one per centum now allowed by law on all taxable property, to be used exclusively for maintaining and repairing public roads and bridges in Fayette county; to create a separate and special road fund for said county and to prevent obstruction and damage to the public roads and bridges of said county, and to provide penalties for all violations of the road laws.

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Also:

H. 1068. To vacate the dedication of all streets, roads, avenues and alleys through, over, on or across the following described property, situated in the county of Montgomery and

State of Alabama, to-wit: Beginning at the half mile corner in the center of section ten (10), township sixteen (16), range seventeen (17); thence west twenty-one hundred forty-five (2,145) feet to the right of way of the Mobile & Ohio railroad; thence along said railroad right of way north forty (40°) degrees thirty (30') minutes west twenty-eight hundred two (2,802) feet; thence and continue with said railroad right of way north forty-two and one-half ($42\frac{1}{2}^{\circ}$) degrees west one hundred ninety-four (194) feet to a stake; thence north forty-nine (49°) degrees thirty (30') minutes east twelve hundred forty-three (1,243) feet; thence north seventy-two and one-half ($72\frac{1}{2}^{\circ}$) degrees east six hundred three (603) feet; thence north forty-four (44°) degrees east nine hundred sixty-two (962) feet to the Washington Ferry road; thence along the west side of said road south fifty-three and one-half ($53\frac{1}{2}^{\circ}$) degrees east nine hundred (900) feet; thence and continue with said road south forty-five and one-half ($45\frac{1}{2}^{\circ}$) degrees east two hundred twenty-five (225) feet; thence and continue with said road south thirty-nine (39°) degrees thirty (30') minutes east five hundred (500) feet; thence and continue with said road south thirty (30') minutes east one hundred one (101) feet; thence and continue with said road south sixteen (16°) degrees east five hundred (500) feet; thence and continue with said road south thirty (30') minutes east five hundred (500) feet; thence and continue with said road south twenty (20°) degrees east one hundred eighty (180) feet; thence and continue with said road south twenty-seven (27°) degrees east eighty-nine (89) feet to a stake; thence south one (1°) degree west five hundred eighty-one (581) feet to a stake; thence east three hundred seventy-seven (377) feet to a stake; thence south along the half section line five hundred eighty-seven (587) feet and to a point three hundred seventy-three (373) feet north of the said center of section ten (10); thence south fifty-seven and one-half ($57\frac{1}{2}^{\circ}$) degrees east ninety-four (94) feet; thence south eighty-six (86°) degrees east eight hundred nineteen (819) feet; thence south fifteen (15°) degrees east two hundred sixty-four (264) feet to a stake; thence west forty-one (41) feet; thence south fifteen (15°) degrees east two thousand sixty-five (2,065) feet to the Selma road, thence along said road south seventy-five (75°) degrees west five hundred seven (507) feet; thence south fifty-four (54°) degrees west one hundred forty-two (142) feet along the said road, thence and continue with said Selma road south forty-four (44°) degrees west five hundred forty-three (543) feet to the intersection of the right of way of the Mobile & Ohio railroad; thence along and with the curvature of said railroad right of way north seventy-two (72°) degrees

west two hundred seventy (270) feet; thence and continue with said railroad right of way north sixty-five and one-half ($65\frac{1}{2}^{\circ}$) degrees west two hundred forty-five (245) feet to the half section line dividing section ten (10); thence north along said half section line twenty-four hundred twenty (2,420) feet to the center of section ten (10), township sixteen (16), range seventeen (17), the said point of beginning.

Also:

H. 540. To provide bathing facilities for coal miners in this State.

Also:

H. 890. To fix the salary of deputy solicitors serving in counties having a population of not less than 26,940 nor more than 27,000, according to the last preceding Federal census or any subsequent Federal census.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has passed the following Senate bill:

S. 761. To require every State official, or official holding office under the authority of the State, and who is paid a salary or receives pecuniary profit for his services as such official, and whose office or post of duty is located in the capitol building or in the city of Montgomery, to reside or live in or sufficiently near to the city of Montgomery as that such office or post of duty shall be reasonably accessible to him daily, and to provide for the impeachment or removal of such official on failure to comply with the requirements of this act.

And returns said bill to the Senate.

Fred H. Gormley,
Clerk.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill:

S. 711. To amend sections 23, 24, 28, 29 and 33 of an act entitled, "An act providing for the registration, licensing, identification and regulation of motor vehicles operated upon the public highways of this State; and fixing liability for persons riding therein, and providing penalties and punishments for violations of the provisions of said act, approved April 22nd, 1911.

And returns said bill herewith to the Senate.

Fred H. Gormley,
Clerk.

HOUSE MESSAGE.

On motion of Mr. Evins, the Senate concurred in the following amendment by the House to Senate bill No. 711, the title of which is set out in the foregoing message from the House, to-wit:

To amend section 23 of Senate bill 711 by striking out the word "by" following the words "No chauffeur license shall be issued" and preceding the words "any person under the age of 18 years" and by inserting in lieu thereof the word "to."

Yeas, 24; nays, 0.

Yeas:

Messrs:

Acker	Caffey	Evins	Phillips
Baker	Carlton	Griffith	Rogers (Lauderdale)
Beale	Carmichael	Harper	Rogers (Sumter)
Bedsole	Cowan	Kelly	Sims
Briscoe	Craft	Morris	Smith (Lawrence)
Brown	Espy	McDowell	West

—24

Nays:—None.

REPORT FROM COMMITTEE ON ENROLLED BILLS.

Mr. President:

Your Standing Committee on Enrolled bills beg leave to report that said committee, in session, have compared the following enrolled bills, with the engrossed and original bills, respectively, and find same correctly enrolled, to-wit:

S. 511. To amend and consolidate sections 54, 55, 56, 57 and 58, of the Code, and the act of April 7, 1911, and the act of March 9, 1915, all relating to the "Canebrake Agricultural Experiment Station" at Uniontown, Alabama.

S. 709. To provide a fund out of which the salaries of the judges of the county court shall be paid, and to fix the amount of such salaries in counties having a population of more than eighteen thousand and less than eighteen thousand three hundred, according to the Federal census of 1910 or any subsequent Federal census.

S. 746. To amend an act to better secure the administration of the financial affairs of the State in respect to expenditures and appropriations; and for that purpose to establish a State budget commission, and prescribe rules and regulations governing the same, approved February 11, 1919, by adding thereto a provision for the payment by the State for the services of the members of the State budget commission.

S. 559. To provide for the expense of this session of the Legislature.

S. 486. To amend an act of the Legislature of Alabama entitled, "An act to amend section 3795 of the Code of Alabama of 1907.

S. 394. For the relief of T. H. Pearson.

S. 350. To create the Alabama art commission, and to prescribe its powers and duties.

S. 240. To provide for the inspection of all public or private hospitals, reformatories, houses of detention, convents, asylums, sectarian seminaries, schools or other institutions in the State of Alabama; to authorize the appointment of inspectors, and to provide penalties for the violation of any of the provisions hereof.

S. 241. To prohibit involuntary servitude or forcible detention in public or private hospitals, reformatories, houses of detention, convents, asylums, sectarian seminaries, schools or institutions, and providing penalties therefor.

S. 212. To declare the eleventh day of November in each and every year a memorial day for the Alabama soldiers who died in the recent war, and to make the day a legal holiday in Alabama.

S. 186. To amend section 3713 of the Code of Alabama of 1907.

S. 237. To change the name of the Mount Vernon Hospital to that of the "Searcy Hospital."

S. 302. To authorize solvent banks to voluntarily liquidate and to provide the method.

S. 332. To amend an act entitled, "An act to regulate the employment of minor children within the State of Alabama; to prohibit the employment of minors under certain conditions; to provide for the inspection, and regulation of establishments, occupations, places and premises where minors are employed; to entrust the enforcement of the provisions of this act to the State prison inspector; to punish violations of this act, and approved February 24, 1915.

Chas. McDowell, Jr.,
Chairman.

SIGNING OF BILLS.

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the following bills:

S. 511. To amend and consolidate sections 54, 55, 56, 57 and 58, of the Code, and the act of April 7, 1911, and the act of March 9, 1915, all relating to the "Canebrake Agricultural Experiment Station" at Uniontown, Alabama.

S. 709. To provide a fund out of which the salaries of the judges of the county court shall be paid, and to fix the amount of such salaries in counties having a population of more than eighteen thousand and less than eighteen thousand three hundred, according to the Federal census of 1910 or any subsequent Federal census.

S. 746. To amend an act to better secure the administration of the financial affairs of the State in respect to expenditures and appropriations; and for that purpose to establish a State budget commission, and prescribe rules and regulations governing the same, approved February 11, 1919, by adding thereto a provision for the payment by the State for the services of the members of the State budget commission.

S. 559. To provide for the expense of this session of the Legislature.

S. 486. To amend an act of the Legislature of Alabama entitled, "An act to amend section 3795 of the Code of Alabama of 1907.

S. 394. For the relief of T. H. Pearson.

S. 350. To create the Alabama art commission, and to prescribe its powers and duties.

S. 240. To provide for the inspection of all public or private hospitals, reformatories, houses of detention, convents, asylums, sectarian seminaries, schools or other institutions in the State of Alabama; to authorize the appointment of inspectors, and to provide penalties for the violation of any of the provisions hereof.

S. 241. To prohibit involuntary servitude or forcible detention in public or private hospitals, reformatories, houses of detention, convents, asylums, sectarian seminaries, schools or institutions, and providing penalties therefor.

S. 212. To declare the eleventh day of November in each and every year a memorial day for the Alabama soldiers who died in the recent war, and to make the day a legal holiday in Alabama.

S. 186. To amend section 3713 of the Code of Alabama of 1907.

S. 237. To change the name of the Mount Vernon Hospital to that of the "Searcy Hospital."

S. 302. To authorize solvent banks to voluntarily liquidate and to provide the method.

S. 332. To amend an act entitled, "An act to regulate the employment of minor children within the State of Alabama; to prohibit the employment of minors under certain conditions; to provide for the inspection, and regulation of establishments, occupations, places and premises where minors are employed; to entrust the enforcement of the provisions of this act to the State

prison inspector; to punish violations of this act, and approved February 24, 1915.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill:

S. 320. To designate the persons who are authorized to purchase, have shipped from outside of the State, receive, accept delivery of, possess and use wines for sacramental or religious purposes; and to prescribe the procedure for procuring and having the same shipped from outside of the State.

And returns said bill to the Senate.

Fred H. Gormley,
Clerk.

HOUSE MESSAGE.

On motion of Mr. Bedsole the Senate concurred in the following amendment by the House to Senate bill No. 320, the title of which is set out in the foregoing message from the House, to-wit:

Amend section 2 of S. 320, amend by striking out 5 gal. and insert 2 gal.

Yeas, 16; nays, 9.

Yeas:

Messrs:

Acker

Beale

Bedsole

Briscoe

Brown

Caffey

Cowan

Griffith

Harper

Kelly

Miller

Morris

Rogers (Sumter)

Sims

Smith (Coosa)

West

—16

Nays:

Messrs:

Baker

Craft

Evins

Huddleston

Moore

McDowell

Prestwood

Smith (Lawrence)

Tally

—9

REPORT OF CONFERENCE COMMITTEE.

*To the President of the Senate
and the*

Speaker of the House of Representatives:

We, your Conference Committee, having under consideration House bill No. 844, entitled, "An act to define trusts, monopolies, combines, profiteering and unlawful acts in hoarding, cornering or storing commodities with the purpose and intent to probably

influence the price of food, commodities or any necessities of life and to fix civil and criminal liabilities, penalties or punishment, and to provide remedies for the enforcement thereof in such cases," beg leave to report as follows:

We recommend that the Senate recede from all of its amendments and that the bill be amended so as to read as follows, to-wit:

A BILL

To be entitled an act to define trusts, monopolies, combines, profiteering and unlawful acts in hoarding, cornering or storing commodities with the purpose and intent to probably influence the price of food, commodities or any necessities of life and to fix civil and criminal liabilities, penalties or punishment and to provide remedies for the enforcement in such cases. Be it enacted by the Legislature of Alabama:

Section 1. A trust or combine within the meaning of this act shall be held to mean and include any combination or agreement of the information of any plan or design, express or implied, between corporation, firms or individuals, or any two or more of them in any of the following instances:

(a) To create, further or give out any plan, design or scheme to restrict or reduce the output or production or to increase the price of any article or commodity of food, clothing, fuel or other necessity of life or to attempt to acquire a monopoly therein within this State.

(b) To prevent or restrict competition in the manufacture, marketing, transportation, selling or purchasing of any produce, commodity or necessity of life.

(c) To fix a price on any article or commodity of food, clothing, fuel or other necessity of life which is not regulated by the supply of or demand for such commodity or necessity of life.

(d) To preclude, restrict or embarrass the freedom of commerce or the competition in trade of any commodity or necessity of life by pooling or hoarding the same.

Section 2. Profiteering within the meaning of this act shall be held to mean the selling or offering for sale of any article or commodity of food, clothing, fuel or other necessity of life with the intent of obtaining fraudulent or grossly excessive price over its true or intrinsic worth, and in the ascertainment of whether such price is fraudulent or grossly excessive regard may be had to the cost price of said article or commodity to the person selling or offering the same; or evidence may be given of the cost price on the market of articles, commodities or necessities of like kind or character.

Section 3. A monopoly within the meaning of this act shall be held to mean any person, firm or corporation or a combination of the same who shall undertake to purchase or in any way or manner get possession or control of any article or commodity of food, clothing, fuel or other necessity of life for the purpose of withholding the same from the regular and due course of trade with the intent of affecting the price thereof.

Section 4. That it shall be unlawful for any person, firm or corporation to be or remain a party to any profiteering, trust, combine or monopoly, or to hoard in any way or manner any food stuff or other necessity of life, for the purpose of probably affecting the price of such article in this State; and if it be shown that the purpose of profiteering, trust, combine or monopoly was to affect the price of any necessity of life in this State, or that the purpose of any hoarding was to affect the price of any necessity of life, such act, if done, performed, allowed, or permitted in another State, is hereby declared within the contemplation of this act, and shall be deemed to be in the nature of an act, the commission of which was initiated elsewhere and completed in each county in the State where the price of any necessity of life was probably affected.

Section 5. That any person, firm or corporation who violates any provision of this act shall be subject to suit, instituted in the name of the State, by the attorney general in any county in the State in which such person, firm or corporation resides or does business to be selected by the attorney general and in such suit such damages may be recovered as the jury see fit to assess; and provided further that the attorney general may institute suit in every county in which such person, firm or corporation does business; and the pendency of a suit in one county shall not abate a suit pending in another county; the damages that are recoverable shall be deemed both compensatory and punitive, but it shall not be necessary to show that the State actually sustained any damage as a result of a violation of this act.

Section 6. That any person, firm or corporation who shall be guilty of any unlawful combine, trust, monopoly or profiteering as defined herein shall be guilty of a misdemeanor and upon conviction shall be fined not more than five thousand dollars and may also at the discretion of the jury (or the judge if the case be tried without a jury) be imprisoned at hard labor for the county for any period up to two years.

Section 7. That in all cases, the question of whether the party sued violated any provision of this act, shall be a question for the jury.

Section 8. The employees of all persons, firms and corporations or any one of them or none of them, may be joined with the employer at the discretion of the attorney general. Any number of persons, firms or corporations may be joined in one suit.

Section 9. That the action to recover damages under the provisions of this act shall be deemed a civil action and not a criminal proceeding, and all laws and rules applicable to civil practice and procedure shall apply thereto, and the rules applicable to forfeitures in such cases shall not be applicable to any procedure brought under this act, and this act shall be liberally construed to suppress the mischief aimed at and to advance the remedy.

Section 10. That any juror summoned for jury duty for the trial of any suit brought hereunder who is employed by or interested in, or related to any defendant or to any person, firm or corporation that does any business for or with any defendant, shall be subject to challenge for cause at the instance of the attorney general.

Section 11. This act shall take effect upon its approval by the governor, and this act is declared to be merely additional and supplemental legislation on this subject, but shall repeal all law in conflict herewith.

Section 12. This act is not intended and shall not apply to persons holding food stuffs, farm products or necessities of life raised by themselves or on their own premises, or to persons holding the same for such persons.

Section 13. Any part of provision of this act held to be unconstitutional shall not be held to affect the remainder hereof.

Respectfully submitted,

On the part of the Senate:

W. P. Acker,

A. W. Briscoe,

J. Morgan Prestwood.

On the part of the House:

Thos. E. Orr,

S. A. Lynne,

W. J. Dansby.

CONFERENCE REPORT.

On motion of Mr. Briscoe, the Senate concurred in and adopted the foregoing report of the Committee of Conference on the disagreement of the two houses on the Senate amendments to House bill No. 844, the title of which is set out in the foregoing report of the Conference Committee.

Yeas, 21; nays, 1.

*Yeas:**Messrs:*

Acker	Caffey	Kelly	Rogers (Sumter)
Baker	Cowan	Miller	Sims
Beale	Evins	Moore	Smith (Lawrence)
Bedsole	Griffith	Phillips	Tally
Briscoe	Harper	Prestwood	West
Brown			

—21

Nays:

Mr. Smith (Coosa)—1.

RESOLUTION.

Mr. Evins offered the following resolution:

S. J. R. 160. Resolved by the Senate, That the House be and it is hereby requested to return to the Senate House bill No. 1037.

Which was, under a suspension of the rules, adopted.

REPORT FROM COMMITTEE ON ENROLLED BILLS.

Mr. President:

Your Committee on Enrolled Bills, beg leave to report that said committee, in session, have compared the following enrolled bill, with the engrossed and original bill, respectively, and find same correctly enrolled, to-wit:

S. 761. To require every State official, or official holding office under the authority of the State, and who is paid a salary or receives pecuniary profit for his services as such official, and whose office or post of duty is located in the capitol building or in the city of Montgomery, to reside or live in or sufficiently near to the city of Montgomery as that such office or post of duty shall be reasonably accessible to him daily, and to provide for the impeachment or removal of such official on failure to comply with the requirements of this act.

Chas. McDowell, Jr.,
Chairman.

SIGNING OF BILL.

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after the title had been publicly read at length by the Secretary of the Senate, signed the following bill:

S. 761. To require every State official, or official holding office under the authority of the State, and who is paid a salary or receives pecuniary profit for his services as such official, and whose office or post of duty is located in the capitol building or

in the city of Montgomery, to reside or live in or sufficiently near to the city of Montgomery as that such office or post of duty shall be reasonably accessible to him daily, and to provide for the impeachment or removal of such official on failure to comply with the requirements of this act.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has passed the following Senate bills:

S. 545. To confer upon boards of revenue in counties of this State having a population of not less than 82,000 and not more than 100,000 according to the latest Federal census the right to condemn lands or interests therein for the purpose of obtaining gravel or other road building material for the building and maintenance of public roads of the county, and to prescribe the procedure for same.

S. 374. To submit to the qualified voters of the State of Alabama, at a special election to be held on the proclamation of the governor of Alabama, for their consideration, an amendment to the Constitution of Alabama empowering the Legislature to authorize counties, which have or which shall have taxable property in such counties of one hundred millions of dollars annually, or more, according to the assessments by such counties for the year 1918 A. D., or according to any annual assessment hereafter made, to engage in, lend their credits, grant public money or other thing of value in aid of the acquirement, construction, purchase, ownership, lease, maintenance, use, control and operation of highways, railroads, by any kind of motive power, conveyance or appliance; freight stations; passenger stations; wharves; piers; docks; warehouses; grain elevators; storage tanks; team trucks; and all other facilities and structures and appurtenant thereto, in aid of commerce; the dredging of the approaches to the water terminals to traverse or cross adjacent counties; and to increase the limit of county indebtedness from $3\frac{1}{2}$ to $4\frac{1}{2}$ per cent. of such taxable property.

S. 587. To permit county boards of revenue or county commissioners to appropriate money to control or eradicate diseases of live stock in their respective counties and to provide for the use of such money.

Also:

S. 664. To amend section one of an act entitled, "An act to designate certain public roads of the State of Alabama as State trunk roads and to provide the manner in which such roads shall be located, improved and maintained," approved September 10th, 1915.

Also:

S. 286. To authorize any bank or trust company doing a banking business, to receive deposits, and, or pay checks or sight drafts and transact other business, on any legal holiday, excepting Sunday.

Also:

S. 233. To require the superintendent of banks to certify and pay to the treasurer of the State of Alabama all funds remaining in the hands of the superintendent of banks, uncalled for, which have been held by him in trust for depositors and creditors of liquidated banks, from which they were received after three (3) years from the final liquidation of such bank.

S. 301. To authorize banks to accept drafts or bills of exchange drawn upon them under certain conditions and restrictions.

S. 424. To permit bonds to be given for property seized under the prohibition act, pending appeal to the Supreme Court. And returns same herewith to the Senate.

Fred H. Gormley,
Clerk.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has non-concurred in the Senate amendment to the bill:

H. 762. To fix the salary of the judge of the county court in all counties having a population of not less than twenty-three thousand one hundred and fifty (23,150) and not more than twenty-three thousand two hundred and fifty (23,250) according to the Federal census of 1910, and provide for the payment of the same.

And asks for Committee of Conference. The Speaker names as a Committee of Conference on the part of the House, Messrs. Reynolds, Longshore and Shaw.

Fred H. Gormley,
Clerk.

HOUSE MESSAGE.

On motion of Mr. Harper, the Senate accedes to the request of the House for a Committee of Conference on the disagreement of the two houses on the Senate amendments to House bill No. 762, the title of which is set out in the foregoing message from the House, and the President of the Senate appointed as conferees on part of the Senate Messrs. Harper, Miller and Simms.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has concurred in and adopted the report of the Committee of Conference on the disagreement of the two houses on the House amendment to the bill:

S. 748. To make appropriations for the ordinary expenses for the executive legislative and judicial departments of the State, for the interest on the public debt and for the public schools.

Fred H. Gormley,
Clerk.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has concurred in and adopted the report of the Committee of Conference on the disagreement of the two houses on the Senate amendment to the bill:

H. 844. To define trusts, and to provide for criminal penalties and punishment of corporations, firms and persons, and to promote free competition in commerce and all classes of business, both intrastate business and interstate business, engaged in and carried on by or through any corporation, firm or person.

Fred H. Gormley,
Clerk.

MESSAGE FROM THE GOVERNOR.

September 25th, 1919.

Gentlemen of the Senate:

I herewith return Senate bill No. 309, providing for the establishment and maintenance of a home for mental inferiors in Alabama, without my approval.

I shall approve the bill if amended as follows:

Amend the bill by striking out sections 15 and 21, and substituting for the sections so stricken out the following as section 21, namely:

Section 21. In order to accomplish the purpose set forth and to provide the necessary grounds, buildings, furniture, light, heat and water connections, sewerage and other equipment and to provide for the maintenance of the home when regularly opened for the reception of inmates, the sum of fifty thousand (\$50,000) dollars per year for four successive years is hereby appropriated out of the State treasury for such purposes, provided that the money so appropriated shall remain in the State treasury until it is drawn out on requisition of the board of managers and on the approval of the governor for the purpose of paying for the building material, machinery, labor, furniture, and other equipment as it is actually needed, and not until such material, machinery, labor, furniture, and equipment shall have been delivered, performed or done; and such sums monthly or otherwise out of said appropriation shall be paid out for maintenance of said home as the board of managers may require with the approval of the governor, from and after the time the home is regularly opened for the reception of the inmates."

Respectfully,
Thos. E. Kilby,
Governor.

GOVERNOR'S MESSAGE.

On motion of Mr. Cowan, the Senate concurred in and adopted the amendment proposed by his excellency, the governor, to the bill:

S. 309. To provide for the establishment and maintenance of a home for mental inferiors in Alabama; to define who are mental inferiors; to provide for their care, treatment and training, and to appropriate the money necessary therefor from the State treasury.

Said amendment being set out in the foregoing message from the governor.

Yeas, 26; nays, 0.

Yeas:

Messrs:

Acker	Carlton	Griffith	Rogers (Lauderdale)
Baker	Carmichael	Gunter	Rogers (Sumter)
Beale	Cowan	Harper	Sims
Bedsole	Craft	Kelly	Smith (Lawrence)
Briscoe	Ellis	Morris	Tally
Brown	Espy	Phillips	West
Caffey	Evins		

—26

Nays:—None.

Being a majority of the whole number elected to the Senate.

MESSAGE FROM THE GOVERNOR.

September 27, 1918.

Gentlemen of the Senate:

I herewith return Senate bill No. 713, making appropriation to the University of Alabama, without my approval.

I shall approve the bill if it is amended as follows, namely:

Amend section 1 of Senate bill No. 713 by striking from said section the words and figures "seventy-five thousand (\$75,000.00)" and by substituting therefor the words and figures "seventy thousand (\$70,000)."

GOVERNOR'S MESSAGE.

On motion of Mr. Carmichael, the Senate concurred in and adopted the amendment proposed by his excellency, the governor, to the bill:

S. 713. To make appropriations to the University of Alabama.

Said amendment being set out in the foregoing governor's message.

Yeas, 28; nays, 0.

Yeas:

Messrs:

Acker	Carlton	Gunter	Rogers (Lauderdale)
Baker	Carmichael	Harper	Rogers (Sumter)
Beale	Cowan	Huddleston	Sims
Bedsole	Craft	Miller	Smith (Coosa)
Briscoe	Ellis	Morris	Smith (Lawrence)
Brown	Espy	McDowell	Tally
Caffey	Evins	Phillips	West

—28

Nays:—None.

Being a majority of the whole number elected to the Senate.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has passed the following Senate bills:

S. 215. To secure to persons the right-of-way over lands of other persons.

Also:

S. 579. To further regulate public service in this State.

Also:

S. 578. To further define criminal conspiracy in this State.

Also:

S. 560. To provide for the payment of any fee or reward that is made payable by statute to any person who furnished the evidence that brought about the conviction of a person charged with unlawfully distilling or manufacturing or making prohibited liquors and beverages.

Also:

S. 742. To amend section 5993, Code 1907, as amended by an act approved November 23, 1907.

And returns same herewith to the Senate.

Fred H. Gormley,
Clerk.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill:

S. 676. To prescribe the amount of solicitors fees in cases of conviction for carrying concealed a pistol about the person.

And returns said bill herewith to the Senate.

Fred H. Gormley,
Clerk.

HOUSE MESSAGE.

On motion of Mr. Carmichael, the Senate concurred in the following amendment by the House to Senate bill No. 676, the title of which is set out in the foregoing message from the House, to-wit:

Amend Senate bill 676 as follows: "Amend the caption of said bill by adding thereto the following words: Or on premises not his own or under his control."

Amend section 1 of Senate bill 676 by adding immediately after the word person where it appears in said section the following words: Or on premises not his own or under his control."

Yeas, 20; nays, 0.

Yeas:

Messrs:

Acker

Baker

Beale

Bedsole

Carmichael

Cowan

Craft

Espy

Griffith

Gunter

Huddleston

Kelly

Miller

Moore

Morris

Phillips

Prestwood

Sims

Tally

West

—20

Nays:—None.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has originated and adopted the following resolution:

H. R. 384. Resolved by the House, That the Senate be requested to return Senate bill 549 to the House for amendment.

And sends same herewith to the Senate.

Fred H. Gormley,
Clerk.

HOUSE MESSAGE.

H. J. R. 384, set out in the foregoing message from the House, was concurred in and adopted by the Senate, and the Secretary was directed to return said bill, S. 549, to the House as requested in said resolution.

BILLS ON THIRD READING.

The bill:

H. 842. To encourage the manufacture of air nitrates in the State of Alabama, by exempting from taxation the plants, products and other property of any person, firm or corporation acquiring either by lease or purchase, any factory or plant already built in this State for the production and manufacture of atmospheric nitrogen.

Was read a third time at length and passed.

Yeas, 22; nays, 6.

Yeas:

Messrs:

Acker	Carlton	Griffith	Rogers (Sumter)
Beale	Carmichael	Gunter	Sims
Bedsole	Cowan	Miller	Smith (Coosa)
Briscoe	Craft	McDowell	Smith (Lawrence)
Brown	Ellis	Rogers (Lauderdale)	Tally
Caffey	Espy		

—22

Nays:

Messrs:

Harper	Moore	Phillips	West
Huddleston	Morris		

—6

PAIR ANNOUNCED.

Mr. Prestwood announced that he and Mr. Kelly were paired on this vote; that Mr. Kelly, if present, would vote "yea" and he, Mr. Prestwood, would vote "nay."

The bill:

H. 1042. To further provide for and regulate the duties of the courts of county commissioners, or boards of revenue, in the purchase and preparation of food supplies for feeding prisoners under charge, or under conviction, of any indictable offense, confined in the county jails over which they have jurisdiction, and in making provision out of the county treasury for suitable food, clothing, lodging, medicine, and medical attention, for such of the convicts sentenced to jail, with or without hard labor for the county, as are not let to hire, under the provisions of article 5, chapter 191, of the criminal code of Alabama, and in the employment of such convicts, sentenced to hard labor, for the county, as are ordered to labor on the public works of the county, and to further regulate and make provision for the reception, and safe-keeping and feeding of convicts while being conveyed to the penitentiary, and to further regulate the accounting and payment for feeding prisoners in the county jails.

Was taken up.

Mr. Carmichael offered the following amendment to the bill: Strike out section 2 and insert in lieu thereof:

Section 2. The court of county commissioners, board of revenue, or other governing body of the county may with the approval of the prison inspector and subject to cancellation at his direction, make a contract with the sheriff or jailer for feeding the prisoners at a price not in excess of the amount fixed by law. In all cases where the prisoners are not fed by contract with the

sheriff or jailer as herein authorized, the sheriff shall be allowed five cents per day for each prisoner to compensate him for supervising the feeding of such prisoners.

Amend the caption of House bill 1042 and the bill, by inserting in place of "In the purchase and preparation of food supplies for feeding prisoners under charge, or under conviction, of any indicatable offense, confined in the county jails," the following: "In the purchase and preparation of food supplies for feeding prisoners, imprisoned in any county, jail on a charge of any criminal or quasi-criminal offense."

Amend section 11 by striking out "November 1, 1919," and insert in lieu thereof "January 1, 1920."

Which was adopted.

Yeas, 21; nays, 6.

Yeas:

Messrs:

Acker	Caffey	Huddleston	Sims
Baker	Carmichael	Miller	Smith (Coosa)
Beale	Espy	Morris	Smith (Lawrence)
Bedsole	Evins	McDowell	Tally
Briscoe	Gunter	Rogers (Sumter)	West
Brown			

—21

Nays:

Messrs:

Carlton	Harper	Phillips	Prestwood
Ellis	Moore		

—6

And said bill, as thus amended, was read a third time at length and passed.

Yeas, 17; nays, 13.

Yeas:

Messrs:

Acker	Carmichael	Huddleston	Rogers (Sumter)
Baker	Cowan	Miller	Sims
Bedsole	Craft	Phillips	Smith (Coosa)
Briscoe	Espy	Rogers (Lauderdale)	Smith (Lawrence)
Brown			

—17

Nays:

Messrs:

Caffey	Griffith	Huddleston	Prestwood
Carlton	Gunter	Moore	Tally
Ellis	Harper	Morris	West
Evins			

—13

MESSAGE FROM THE HOUSE.

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill:

S. 737. To make appropriations to the State normal schools for white teachers located at Florence, Jacksonville, Livingston, Troy, Daphne and Moundville.

And returns said bill to the Senate.

Fred H. Gormley,
Clerk.

HOUSE MESSAGE.

On motion of Mr. Evins the Senate concurred in the following amendment by the House to Senate bill 737, the title of which is set out in the foregoing message from the House, to-wit:

Amend section 1 by inserting after word "Daphne" the words "and at Moundville," and also by inserting after the word "appropriated" in line 12 of section 1, the words "to each of said schools" and strike out last sentence in section 1.

Yeas, 25; nays, 1.

Yeas:

Messrs:

Acker	Cowan
Beale	Craft
Bedsole	Ellis
Briscoe	Espy
Brown	Evins
Carlton	Griffith
Carmichael	

Gunter
Harper
Huddleston
Kelly
Miller
McDowell

Phillips
Rogers (Lauderdale)
Rogers (Sumter)
Sims
Smith (Lawrence)
Tally

—25

Nays:

Mr. Morris—1.

RESOLUTION.

Mr. Phillips offered the following resolution:

S. J. R. 161. Whereas, numerous amendments to the Constitution of Alabama of 1901 have been proposed to this Legislature, as well as to each Legislature subsequent to the adoption of the Constitution, for submission to the people of the State, many of which amendments have been voted upon and ratified by the people; and

Whereas, such amendments have been and are proposed by individuals who have in mind but a single object, without regard to the Constitution as a whole, and have been acted upon by the various legislatures without reference to their effect upon the instrument as a whole or upon its various provisions:

Now, therefore, in order that the organic law of the State, as expressed in the sacred covenant of its people, be clear and unambiguous in its terms; that all possible conflicts therein may be reconciled; that the valuable rights assured thereunder may be preserved; and that the changes made necessary therein by the

progress of the times may be wrought with intelligence and conservatism:

Be it resolved by the Senate of Alabama, the House concurring, That the governor of Alabama be and he is hereby authorized and requested to form a constitutional commission whose function shall be to give careful consideration to the Constitution and the amendments thereto, with the view to determining the existence or not of conflicting provisions and the necessity for changing the Constitution in any respect, which commission shall report the result of its investigations to the next session of the Legislature and shall submit such amendments as it may deem necessary to harmonize the Constitution in its present status and to meet changed conditions.

Said commission shall consist of seven members, of which the governor shall be chairman, the associate members of the commission shall be named by the governor, one or more of whom shall be selected from the Supreme Court of Alabama. This Commission shall serve without compensation.

Which was, under a suspension of the rules, adopted.

BILLS ON THIRD READING RESUMED.

The bill:

H. 767. To establish and create the Alabama horticultural society for the promotion and development of fruit growing within the State of Alabama and to define its powers and duties.

As amended by substitute adopted on a former day of the present session, was read a third time at length and passed.

Yeas, 25; nays, 4.

Yeas:

Messrs:

Beale	Cowan	Harper	Rogers (Lauderdale)
Bedsole	Craft	Huddleston	Rogers (Sumter)
Briscoe	Espy	Kelly	Sims
Brown	Evins	Miller	Smith (Lawrence)
Caffey	Griffith	Moore	Tally
Carlton	Gunter	Phillips	West
Carmichael			

—25

Nays:

Messrs:

Baker	Morris	Prestwood	Smith (Coosa)
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—4

MESSAGE FROM THE HOUSE.

Mr. President:

The House has amended as therein shown and as amended has passed:

S. 451. To fix the compensation of members of the boards of revenue in this State in counties which now have, or which may hereafter have a population of eighty-two thousand people and not exceeding two hundred thousand people, according to the last Federal census, or any such census which may hereafter be taken, and to provide for the payment of such compensation.

And returns same herewith to the Senate.

Fred H. Gormley,
Clerk.

HOUSE MESSAGE.

On motion of Mr. Gunter, the Senate concurred in the following amendment by the House to Senate bill No. 451, the title of which is set out in the foregoing message from the House, to-wit:

A BILL

To be entitled an act to fix the compensation of members of boards of revenue, and the clerks thereof, in this State in counties which now have or which may hereafter have a population of 82,000 and not exceeding 100,000 people, according to the last Federal census, or any such census, or any such census which may hereafter be taken, and to provide for the payment of such compensation.

Be it enacted by the Legislature of Alabama:

Sec. 1. That the compensation of all boards of revenue in this State, in counties which now have, or which may hereafter have a population of 82,000 and not exceeding 100,000 people, according to the last Federal census, or any such census which may hereafter be taken, be and the same is hereby fixed at one thousand eight hundred dollars per annum, for each member of such board, payable in monthly installments; and that the compensation of the clerk of such boards of revenue may be fixed at a maximum of twenty-seven hundred (\$2,700) dollars per annum, payable in monthly installments.

Sec. 2. That said compensation shall be paid out of the general funds of the respective counties on warrants issued by the said boards on the county treasury.

Sec. 3. This act shall take effect immediately upon its passage and approval.

Yeas, 22; nays, 0.

Yeas:

Messrs:

Beale
Bedsole
Briscoe

Brown
Caffey
Carlton

Carmichael
Cowan
Craft

Ellis
Espy
Griffith

Gunter
Harper
Kelly

Phillips
Prestwood
Rogers (Sumter)

Sims
Smith (Coosa)

Tally
West

—22

Nays:—None.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has passed the following Senate bills:

S. 767. To amend sections 1, 3, 4, 5, and 7 of an act entitled, "An act to regulate the sale of food and drugs in the State of Alabama and to provide for the enforcement and inspectors and prescribe penalties for violation thereof," approved August 26, 1909.

S. 754. To change, alter or enlarge the corporate limits of the town of Inglenook, Jefferson county, Alabama.

S. 207. To prohibit the assessing or collecting of any privilege or license tax or fee, by municipalities, from persons for conducting or operating any business, trade or profession outside the corporate limits of such municipalities.

And returns same herewith to the Senate.

Fred H. Gormley,
Clerk.

RECESS.

On motion of Mr. Rogers of Sumter, the Senate at 1:15 P. M. took a recess until 2:30 this afternoon.

AFTERNOON SESSION—FIFTIETH DAY.

Saturday, September 27, 1919.

The Senate re-assembled at 2:30 P. M., Lieutenant Governor Miller presiding.

ROLL CALL.

On a call of the roll, 25 senators answered to their names, a quorum of the Senate.

TRUSTEES DEPARTMENT OF ARCHIVES AND HISTORY.

September 27, 1919.

The Honorable
The Senate of Alabama.
Gentlemen:

I have the honor to transmit, as secretary of the board of trustees and the director of the Alabama State department of archives and history, the

names of the persons set out below, duly elected as trustees of the said department, for the districts and for the terms named, in accordance with the act of establishment, approved February 27, 1901, and now constituting in part section 796 of the Code of Alabama, 1907, as follows:

Fourth District: Col. Sam'l Will John, of Selma, to succeed himself, for term ending January 1, 1923;

Fifth District: Hon. Wm. L. Lancaster, of Wetumpka, to succeed himself, for term ending January 1, 1923;

Sixth District: Judge Henry B. Foster, of Tuscaloosa, to succeed himself, for term ending January 1, 1923;

Seventh District: Hon. Oliver Day Street, of Guntersville, to succeed himself, for term ending January 1, 1925;

Eighth District: Dr. Wyatt Heflin Blake, of Sheffield, to succeed himself, for term ending January 1, 1925;

Ninth District: Hon. Hugh Morrow, of Birmingham, to succeed himself, for term ending January 1, 1925.

These several names are submitted to you for confirmation, or for such other action as you may deem proper in accordance with law.

Very respectfully,

Thomas M. Owen,
Secretary and Director.

CONFIRMATION OF TRUSTEES.

On motion of Mr. Carmichael, the Senate confirmed the nomination of the trustees of the Alabama department of archives and history named in the foregoing message from the secretary and director of said department of archives and history.

RESOLUTION.

Mr. Craft offered the following joint resolution:

S. J. R. 162. Be it resolved, that the Senate, and the House concurring, in that a vote of thanks be tendered to the Mobile Register and Birmingham Age-Herald in delivering to the Senate and the House during this session of the Legislature their very great papers, which have been duly appreciated, and that copies of this resolution be transmitted to each of the above newspapers.

Which was, under a suspension of the rules, adopted.

RECONSIDERATION OF NON-CONCURRENCE IN HOUSE AMENDMENT.

On motion of Mr. Carmichael, the Senate reconsidered the vote by which it refused to concur in the House amendment to the bill:

S. 727. To provide for changing the name and for making an appropriation to the Huntsville State Normal and Industrial School to be known as the Agricultural and Mechanical College for Negroes.

And requested a Committee of Conference, and the Conference Committee was discharged.

On motion of Mr. Carmichael the Senate then concurred in the following amendment by the House to said bill, S. 727, the title of which is above set out, to-wit:

Amend section 1 of Senate bill 727 by striking out the words and figures "twenty thousand (\$20,000) dollars" where they appear, and by inserting in lieu thereof "fifteen thousand (\$15,000) dollars."

And by striking out the words and figures "and there is hereby appropriated for the removal of indebtedness on the said school the sum of fifteen thousand (\$15,000) dollars for the fiscal year on September 30, 1921, and the like sum of fifteen thousand (\$15,000) dollars for the fiscal year ending September 30, 1922, out of any money in the State treasury not otherwise appropriated.

Yeas, 23; nays, 0.

Yeas:

Messrs:

Acker	Carmichael	Harper	Rogers (Sumter)
Beale	Cowan	Huddleston	Sims
Bedsloe	Craft	Kelly	Smith (Lawrence)
Briscoe	Ellis	Morris	Tally
Caffey	Griffith	McDowell	West
Carlton	Gunter	Phillips	

—23

Nays:—None.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has acceded to the request of the Senate for the return of H. 1037, for further consideration, and the bill is returned herewith.

Fred H. Gormley,
Clerk.

HOUSE MESSAGE.

On motion of Mr. Evins, the Senate reconsidered the vote by which it passed:

H. 1037. To provide for the sale of the printed and bound volumes of the reports of the decisions of the Court of Appeals of Alabama.

And on motion of Mr. Evins, the Senate also reconsidered the vote by which said bill was ordered to its engrossment and third reading.

Mr. Beale then offered the following amendment to said bill:

Amend the title of the bill by placing a semicolon at the end thereof and adding the following: "also to authorize the purchase and distribution of Compiled Amendments to the Constitution of Alabama, and making an appropriation therefor."

Also amend the bill by adding thereto section 11½ as follows:

Section 11½. That the secretary of State be and he is hereby authorized to purchase seven hundred copies of Amendments to the Constitution of Alabama of 1901, Compiled and Annotated, at a price not exceeding fifty cents a copy; and shall distribute the same, as the acts of the Legislature are distributed, to the executive, legislative and judicial officers of the State, to the executives of each of the states of the Union, to each circuit judge and circuit solicitor, each probate judge and county solicitor; the remainder to be distributed upon request to public libraries. There is hereby appropriated out of any funds not otherwise appropriated a sum sufficient for the purchase above authorized.

Which was adopted.

Yeas, 19; nays, 2.

Yeas:

Messrs:

Beale	Cowan	Moore	Sims
Bedsole	Craft	Morris	Smith (Coosa)
Brown	Ellis	McDowell	Smith (Lawrence)
Caffey	Evins	Phillips	West
Carmichael	Harper	Rogers (Sumter)	

—19

Nays:

Messrs:

Acker	Tally
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—2

And said bill, as thus amended, was again read a third time at length and passed.

Yeas, 26; nays, 0.

Yeas:

Messrs:

Acker	Carmichael	Kelly	Rogers (Sumter)
Beale	Cowan	Miller	Sims
Bedsole	Craft	Morris	Smith (Coosa)
Briscoe	Ellis	McDowell	Smith (Lawrence)
Brown	Espy	Phillips	Tally
Caffey	Evins	Prestwood	West
Carlton	Harper		

—26

Nays:—None.

REPORT FROM COMMITTEE ON ENROLLED BILLS.

Mr. President:

Your Standing Committee on Enrolled Bills beg leave to report that said committee, in session, have compared the following

enrolled bills, with the engrossed and original bills, respectively, and find same correctly enrolled, to-wit:

S. 763. To provide an appropriation for the relief of needy Confederate soldiers, sailors and their widows.

S. 320. To designate the persons who are authorized to purchase, have shipped from outside of the State, receive, accept delivery of, possess and use wines for sacramental or religious purposes; and to prescribe the procedure for procuring and having the same shipped from outside of the State.

S. 206. To amend sections 3, 4 and 5 of an act entitled, "An act to create a State harbor commission to be known as the 'State harbor commission,' define its jurisdiction, powers and duties and prescribe the mode of procedure and penalties for violation of this act, and to repeal all laws in conflict therewith." Approved September 25th, 1915.

S. 711. To amend sections 23, 24, 28, 29 and 33 of an act entitled, "An act providing for the registration, licensing, identification and regulation of motor vehicles operated upon the public highways of this State; and fixing liability for persons riding therein, and providing penalties and punishments for violations of the provisions of said act," approved April 22nd, 1911.

S. 657. To provide for the appointment of deputy registers and deputy clerks for circuit courts in judicial circuits composed of one county having two or more judges, and to prescribe the duties and fix the compensation and salary of such deputies.

S. 762. To provide for the collection and distribution of license, privilege, income and franchise taxes which are required to be prorated among the State and any of the counties, cities and towns thereof.

S. 515. To amend section 3860 of the Civil Code of Alabama so as to authorize and provide the procedure for suits by the State of Alabama for the condemnation of lands for public uses.

S. 369. To authorize and empower the court of county commissioners, the board of revenue, or other governing body of the several counties of this State to issue interest bearing warrants of the county in settlement of debts or other obligations incurred in the construction or maintenance of public roads or money borrowed for tick eradication or necessary public buildings, or as a security for money borrowed for the payment of such debt or obligation and to issue and sell interest bearing warrants to secure funds for the payment of such debt or obligation and to regulate and prescribe the method of issuing such interest bearing warrants.

S. 336. To provide for the election of a county solicitor in all counties in Alabama having a population of not less than

30,800 and not more than 30,900, according to the Federal census of 1910, or any subsequent Federal census, to fix his term of office and compensation, and prescribe his qualifications and duties.

S. 593. To provide and submit to the qualified electors of the State of Alabama at an election to be held on the first Monday after the expiration of three months from and after the final adjournment of the present session of the Legislature at which this amendment is proposed, an amendment to the Constitution of the State of Alabama, whereby the following municipal corporations: Tuscumbia, Sheffield, Hartsboro, Russellville, Lanett, Demopolis, Pell City, Heflin, Columbiana, Carrollton, Opelika, Fairhope, Pine Hill, Scottsboro, Stevenson, Ashland, Brewton, Pollard, Flomaton, Atmore, Inglenook, Tuskegee, Aliceville, Gordo, Reform, Livingston, Camden, Monroeville, Phoenix and Girard, Birmingham, Bessemer, Huntsville, Florence and Selma, Athens, Anniston, Jacksonville, Auburn, Fairfield, Carbon Hill and LaFayette, in the State of Alabama, may levy and collect a rate of taxation on the property situated therein not exceeding in the total in any one year one and one-half per centum of the value of such property as assessed, as provided by the Constitution and statutes now or hereafter enacted pursuant to the Constitution; provided that the total rate of taxation levied by such municipal corporations shall not in any one year exceed one (1) per centum unless the rate in excess thereof shall have been submitted to and authorized by ballot by the qualified electors of such municipal corporations, respectively, at elections to be held by them from time to time for such purposes and to provide for such elections.

S. 530. To make an appropriation for the relief of John W. Abercrombie.

S. 585. To submit to the qualified electors of the State an amendment to section 93 of the Constitution of Alabama as amended in 1908.

S. 368. To provide for the establishment, maintenance, repair and regulation of public highways, including bridges and ferries, in St. Clair county.

Chas. S. McDowell,
Chairman.

SIGNING OF BILLS.

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate, present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the following bills:

S. 763. To provide an appropriation for the relief of needy Confederate soldiers, sailors and their widows.

S. 320. To designate the persons who are authorized to purchase, have shipped from outside of the State, receive, accept delivery of, possess and use wines for sacramental or religious purposes; and to prescribe the procedure for procuring and having the same shipped from outside of the State.

S. 206. To amend sections 3, 4 and 5 of an act entitled, "An act to create a State harbor commission to be known as the 'State harbor commission,' define its jurisdiction, powers and duties and prescribe the mode of procedure and penalties for violation of this act, and to repeal all laws in conflict therewith." Approved September 25th, 1915.

S. 657. To provide for the appointment of deputy registers and deputy clerks for circuit courts in judicial circuits composed of one county having two or more judges, and to prescribe the duties and fix the compensation and salary of such deputies.

S. 762. To provide for the collection and distribution of license, privilege, income and franchise taxes which are required to be prorated among the State and any of the counties, cities and towns thereof.

S. 515. To amend section 3860 of the Civil Code of Alabama so as to authorize and provide the procedure for suits by the State of Alabama for the condemnation of lands for public uses.

S. 369. To authorize and empower the court of county commissioners, the board of revenue, or other governing body of the several counties of this State to issue interest-bearing warrants of the county in settlement of debts or other obligations incurred in the construction or maintenance of public roads or money borrowed for tick eradication or necessary public buildings, or as a security for money borrowed for the payment of such debt or obligation and to issue and sell interest-bearing warrants to secure funds for the payment of such debt or obligation and to regulate and prescribe the method of issuing such interest-bearing warrants.

S. 336. To provide for the election of a county solicitor in all counties in Alabama having a population of not less than 30,800 and not more than 30,900, according to the Federal census of 1910, or any subsequent Federal census, to fix his term of office and compensation, and prescribe his qualifications and duties.

S. 593. To provide and submit to the qualified electors of the State of Alabama at an election to be held on the first Monday after the expiration of three months from and after the final adjournment of the present session of the Legislature at which this amendment is proposed, an amendment to the Constitution

of the State of Alabama, whereby the following municipal corporations: Tuscumbia, Sheffield, Hurtsboro, Russellville, Lanett, Demopolis, Pell City, Heflin, Columbiana, Carrollton, Opelika, Fairhope, Pine Hill, Scottsboro, Stevenson, Ashland, Brewton, Pollard, Flomaton, Atmore, Inglenook, Tuskegee, Aliceville, Gordo, Reform, Livingston, Camden, Monroeville, Phoenix and Girard, Birmingham, Bessemer, Huntsville, Florence and Selma, Athens, Anniston, Jacksonville, Auburn, Fairfield, Carbon Hill and LaFayette, in the State of Alabama, may levy and collect a rate of taxation on the property situated therein not exceeding in the total in any one year one and one-half per centum of the value of such property as assessed, as provided by the Constitution and statutes now or hereafter enacted pursuant to the Constitution; provided that the total rate of taxation levied by such municipal corporations shall not in any one year exceed one (1) per centum unless the rate in excess thereof shall have been submitted to and authorized by ballot by the qualified electors of such municipal corporations, respectively, at elections to be held by them from time to time for such purposes and to provide for such elections.

S. 530. To make an appropriation for the relief of John W. Abercrombie.

S. 585. To submit to the qualified electors of the State an amendment to section 93 of the Constitution of Alabama as amended in 1908.

S. 368. To provide for the establishment, maintenance, repair and regulation of public highways, including bridges and ferries, in St. Clair county.

S. 711. To amend sections 23, 24, 28, 29 and 33 of an act entitled, "An act providing for the registration, licensing, identification and regulation of motor vehicles operated upon the public highways of this State; and fixing liability for persons riding therein, and providing penalties and punishments for violations of the provisions of said act," approved April 22nd, 1911.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bills:

S. 222. To amend sections 11, 18 and 32 of an act entitled, "An act to prescribe the qualifications of jurors and regulate the selection, drawing and summoning of jurors, and prescribe the qualifications and provide for the appointment of jury commissioners and clerks of such commissions and regulate the ampeneling of grand and petit juries in all the courts of this State," approved August 31, 1909.

S. 696. To fix the salary of the judge of the county court in all counties having a population of not less than twenty-eight thousand six hundred and seventy (28,670) and not more than twenty-eight thousand seven hundred and twenty (28,720) according to the Federal census of 1910 and provide for the payment of the same.

And returns said bills to the Senate.

Fred H. Gormley,
Clerk.

HOUSE MESSAGE.

On motion of Mr. Tally, the Senate concurred in the following amendment by the House to Senate bill No. 222, the title of which is set out in the foregoing message from the House, to-wit:

A BILL

To be entitled an act to amend sections 18 and 32 of an act entitled, "An act to prescribe the qualifications of jurors and regulate the selection, drawing and summoning of jurors, and prescribe the qualifications and provide for the appointment of jury commissioners and clerks of such commissions and regulate the empanelling of grand and petit juries in all the courts of this State," approved August 31, 1909.

Be it enacted by the Legislature of Alabama:

That sections 18 and 32 of an act entitled an act to prescribe the qualifications of jurors and regulate the selection, drawing and summoning of jurors, and prescribe the qualifications and provide for the appointment of jury commissioners and clerks of such commissions and regulate the empanelling of grand and petit juries in all the courts of this State, approved August 31, 1909, be amended so as to read as follows:

Section 18. The court shall require all persons named in the venire to be called, and shall then hear all excuses and claims of exemptions and disqualifications, and after passing upon all of the excuses, or claims, shall cause the names of all the jurors in attendance upon the court on that day, and who have not been excused by the court, to be written on separate slips of paper, or cards; and placed in a hat, or box, and thereupon the judge of the court must, in open court, draw from the hat, or box, at terms requiring grand juries, the names of eighteen jurors who shall be empanelled and sworn as the grand jury for the term of the court provided that only one grand jury is authorized by law for that term, but if more than one grand jury is authorized by law for such term then said jurors, so empanelled, shall be the first grand jury for said term and any subsequent grand jury,

or grand juries for such term as is now or may hereafter be authorized by law must be drawn, summoned, sworn and empanelled, as provided in this act, during the said term and the venire for same may contain such number of names as the judge may deem necessary.. The judge must then proceed to draw from the hat or box, the names of twelve jurors who shall be empanelled and sworn as petit jury No. 1, and in like manner the judge must draw and empanel and swear petit jury No. 2, and when necessary, as many more jurors as the judge or judges of the court may deem proper, all of whom shall serve as petit jurors for that week, unless discharged sooner by the court, and may be required to serve till any case on trial is determined. If petit juries are needed for any week or weeks of the terms after the first week the judge or any two judges of said court, if there are more than one judge shall, in like manner at such times as to him or them may seem best draw from the jury box such number of names not less than thirty, for each of such subsequent weeks, as will, in the discretion of said judge or judges, be sufficient for the week for which same are drawn. The clerk shall issue venires for the jurors so drawn and they be summoned for their respective weeks and sworn and empanelled in the same manner as petit juries for the first week of the term.

Section 32. All laws, general, special or local, regulating the selection, drawing, summoning or empanelling of grand, or petit juries, or prescribing the qualifications of jurors, or defining who are exempt from jury service, or exempting certain persons or classes of persons, from service upon juries, are hereby expressly repealed, it being the intent of the Legislature, that this act shall be the exclusive law on such subjects, in all the courts of the State of Alabama. Provided that in all civil cases tried by a jury the right of challenge and the number of challenges for each party and the right to have a struck jury, shall remain as now provided by law, but in every criminal case, the jury shall be drawn, selected and empanelled as follows: Upon the trial by jury in any court of any person indicated for a misdemeanor, or felonies not punished capitally, or in case of appeals from lower courts, the court shall require two lists of all the regular jurors empanelled for the week, who are competent to try the defendant, to be made, and the solicitor shall be required first to strike from the list the name of one juror and the defendant shall strike two, and they shall continue to strike off names alternately until only twelve jurors remain on the list, and these twelve thus selected shall be the jury charged with the trial of the case. In case two or more persons are tried jointly, the solicitor shall strike one and each defendant shall have the right to strike off one name

and they shall continue thus to strike off names until only twelve remain and the twelve thus selected shall be the jury charged with the trial of the defendant. If for any cause the regular number of jurors competent to try the defendant is reduced below twenty-four in non-capital felonies and eighteen in misdemeanor cases, the court must cause twice the number of the deficiency, who live within five miles of the court house or who live within the corporate limits of any city of 10,000 or more inhabitants in which the court is held to be drawn and summoned and the names of those appearing, who are competent to try the defendant must be placed on the list of regular jurors for that week, and the solicitor and defendant shall in like manner, as heretofore provided, be required to strike from the lists thus made up, the names of the jurors as provided until only twelve remain, who shall be the jury charged with the trial of that case. Whenever any person or persons stand indicted for a capital felony, the court must on the first day of the term, or as soon as practicable thereafter, make an order commanding the sheriff to summon not less than fifty nor more than one hundred persons including those drawn on the regular juries for the week set for the trial of the case, and shall then in open court draw from the jury box the number of names required with the regular jurors drawn for the week set for the trial to make the number named in the order, and shall cause an order to be issued to the sheriff to summon all persons therein named to appear in court on the day set for the trial of the defendant and must cause a list of the names of all the jurors drawn for the week in which the trial is set, and those drawn as provided in this section, together with a copy of the indictment, to be forthwith served on the defendant by the sheriff, and the defendant shall not be entitled to any other or further notice of the jurors drawn for his trial nor of the charge or indictment upon which he is to be tried. On the day set for the trial, if the cause is ready for trial, the court must inquire into and pass upon the qualifications of all the persons who appear in court in response to the summons to serve as jurors, and shall cause the names of all those whom the court may hold to be competent jurors to try the defendant or defendants to be placed on lists, and if there is only one defendant on trial shall require the solicitor to strike off one name and the defendant to strike off two names, and in case there are two or more defendants on trial the solicitor shall strike one and every defendant shall strike one name and they shall in this manner continue to strike names from the list until only twelve names remain thereon. The twelve thus selected shall be sworn and empanelled as required by law for the trial of the defendant or

defendants. If in any capital case the number of competent jurors shall be less than thirty before requiring any of them to be stricken off, the court must draw as prescribed in this act, and have summoned, enough qualified jurors who are within or live within five miles of the court house or who live within the corporate limits of a city of 10,000 or more inhabitants in which the court is held to increase the number to at least thirty, and have their names placed on the list with other competent jurors and shall then require the solicitor and the defendant or defendants to strike from the lists as provided in this section, the number of jurors that each may be entitled to strike off, until only twelve remain thereon, and these twelve shall be sworn and empanelled as the jury for the trial of the defendant or defendants. If any defendant or defendants should refuse to strike the number of jurors allowed him by this act from the list furnished him, under the direction of the court, then the presiding judge shall proceed to strike off all the names on the list except those stricken off by the solicitor, until there remains only twelve, and these shall constitute the jury for the trial of the defendant or defendants. If the sheriff fails to summon any of the jurors drawn, or any juror summoned fail or refuse to attend the trial, or there is any mistake in the name of any juror drawn or summoned, none nor all of these grounds shall be sufficient to quash the venire or continue the cause; provided further, that whenever the judge of any court trying capital felonies shall deem it proper to set two or more capital cases for trial on the same day, said judge may draw and have summoned one jury or one venire facias or petit jurors for the trial of all such cases so set for trial on the same day.

Yeas, 18; nays, 0.

Yeas:

Messrs:

Acker	Carlton
Baker	Cowan
Bedsole	Craft
Briscoe	Espy
Caffey	Evins

Harper

Kelly

Phillips

Rogers (Sumter)

Sims

Smith (Lawrence)

Tally

West

—18

Nays:—None.

HOUSE MESSAGE.

On motion of Mr. Rogers of Sumter, the Senate concurred in the following amendment by the House to Senate bill No. 696, the title of which is set out in the foregoing message from the House, to-wit: Amend so as to read six hundred dollars (\$600.00) instead of twelve hundred dollars (\$1,200.00.)

Yeas, 21; nays, 0.

Yeas:

Messrs:

Acker	Carmichael	Evins	Rogers (Sumter)
Baker	Cowan	Harper	Sims
Beale	Craft	Kelly	Smith (Lawrence)
Bedsole	Ellis	Morris	Tally
Briscoe	Espy	Phillips	West
Carlton			

—21

Nays:—None.

MESSAGE FROM THE GOVERNOR.

SENATE BILL NO. 731.

September 27, 1919.

Gentlemen of the Senate:

I return herewith Senate bill No. 731 with the following amendment, to-wit:

Amend the bill by adding thereto section 1½ to read as follows:

"Section 1½. That there is hereby appropriated out of any monies in the State Treasury not otherwise appropriated to be released in the discretion of the governor, the additional sum of fifty thousand (\$50,000) dollars for the fiscal year beginning October 1, 1919, and a like sum for each and every year of the quadrennium to be used for the same purposes and to be drawn in the same manner as the appropriation made under section 1 above, provided that no part of the funds appropriated under this section shall be released after January 1, 1923, and the provision for such appropriation shall become void and inoperative from and after such date."

Respectfully,

Thos. E. Kilby,
Governor.

GOVERNOR'S MESSAGE.

On motion of Mr. Carmichael the Senate concurred in and adopted the amendment proposed by his excellency, the governor, to the bill:

S. 731. To make an appropriation to the State board of education.

Said amendment being set out in the foregoing message from the governor.

Yeas, 21; nays, 0.

Yeas:

Messrs:

Beale	Carmichael	Gunter	Phillips
Bedsole	Cowan	Harper	Rogers (Lauderdale)
Briscoe	Craft	Kelly	Rogers (Sumter)
Brown	Espy	Miller	Sims
Caffey	Evins	Morris	Smith (Lawrence)
Carlton			

—21

Nays:—None.

Being a majority of the whole number elected to the Senate.

MESSAGE FROM THE GOVERNOR.

SENATE BILL NO. 738.

September 27, 1919.

Gentlemen of the Senate:

I return herewith Senate bill No. 738 with the following amendment, to-wit:

Amend the bill by adding thereto section 1½ to read as follows:

Section 1½. That there is hereby appropriated out of any monies in the State treasury not otherwise appropriated an additional sum of two hundred thousand (\$200,000) dollars for the fiscal year beginning October 1, 1920, and additional sum of two hundred fifty thousand (\$250,000) dollars for the fiscal year beginning October 1, 1921, and an additional sum of ~~three hundred fifty thousand (\$350,000)~~ dollars for the year beginning October 1, 1922, to be released at the discretion of the governor and to be set apart and made available in the same manner as the funds appropriated under section 1 above, provided that no part of the funds appropriated under this section shall be released after January 1, 1923, and the provision for such appropriation shall become void and inoperative from and after such date."

Respectfully,
Thos. E. Kilby,
Governor.

GOVERNOR'S MESSAGE.

On motion of Mr. Carmichael, the Senate concurred in and adopted the amendment proposed by the governor to the bill:

S. 738. To make an appropriation to the public schools. Said amendment being set out in the foregoing message from the governor.

Yeas, 21; Nays, 0.

Yeas:

Messrs:

Beale	Cowan	Gunter	Rogers (Sumter)
Bedsole	Craft	Harper	Sims
Briscoe	Ellis	Morris	Smith (Coosa)
Caffey	Espy	Phillips	Smith (Lawrence)
Carlton	Evins	Rogers (Lauderdale)	West
Carmichael			

—21

Nays:—None.

Being a majority of the whole number elected to the Senate.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has concurred in and adopted the amendment proposed by the governor to the bill:

S. 731. To make an appropriation to the State board of education, and returns said bill together with the governor's amendment to the Senate.

Fred H. Gormley,
Clerk.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has concurred in and adopted the amendment proposed by the governor to the bill:

S. 738. To make an appropriation to the public schools.

By a majority of the whole number elected to the House, Yeas, 60; nays, 0; and returns said bill together with the governor's amendment to the Senate.

Fred H. Gormley,
Clerk.

REPORT FROM RULES COMMITTEE.

Mr. Acker, chairman of the Standing Committee on Rules, reported that said committee, in session, had acted on the following resolution and ordered same returned to the Senate with a favorable report, to-wit:

S. J. R. 156. Relative to paying W. T. Edmondson, Jr., for services as committee clerk from January 15th to and including February 1st, 1919.

And on motion of Mr. Acker said report was concurred in and said resolution, under a suspension of the rules, was adopted by the Senate.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has concurred in and adopted the amendment proposed by the governor to the bill:

S. 713. To make appropriations to the University of Alabama.

And returns said bill, together with the governor's message, to the Senate.

Fred H. Gormley,
Clerk.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has concurred in and adopted the amendment proposed by the governor to the bill:

S. 309. To provide for the establishment and maintenance of a home for mental inferiors in Alabama; to define who are mental inferiors; to provide for their care, treatment and training, and to appropriate the money necessary therefor from the State treasury.

And returns said bill, together with the governor's message, to the Senate.

Fred H. Gormley,
Clerk.

MESSAGE FROM THE GOVERNOR.

S. NO. 371.

September 27, 1919.

Gentlemen of the Senate:

I herewith return Senate bill 371, without my approval, and suggest the following amendments which if made will meet my objections:

Amend section 2 by striking out the words "elected by the State board of health" and substituting therefor the words "appointed by the governor."

Further amend section 2 by striking out the words "board of censors of the State board of health who shall nominate to the governor a suitable person for the position of prison inspector and substitute therefor the words "the governor."

In explanation of this change I will state, under the acts passed by this Legislature creating and enlarging the board of control and economy the office of State prison inspector passes under and becomes co-ordinate with the supervision and control and powers vested in that body in connection with the authority of the governor, and therefore the power of appointment, removal, and the filling of any vacancy in the office of prison inspector should be vested in the governor to secure perfect accord with the authority and activities of the State board of control and economy. While in some respects the work of the State prison inspector touches the work of the State board of health, in the main it is more nearly and fully related to the convict system, including the jails and prisons, all of which have passed under the control of the board of control and economy and the governor.

Respectfully,
Thos. E. Kilby,
Governor.

GOVERNOR'S MESSAGE.

On motion of Mr. Acker, the Senate concurred in the amendment proposed by his excellency, the governor, to the bill:

S. 371. To amend section 2 of an act "To provide for the creation of the office of State prison inspector; to prescribe the duties and powers of such office; to provide for the necessary assistants to said inspector; to fix the compensation of such inspector and his assistants; to provide for the construction, the regulation, the management, the maintenance, the operation, the healthfulness, and the sanitation of all county jails, almshouses, and such town and city prisons as are in towns or cities of ten thousand or more population according to the last Federal census, under the supervision of said inspector, and to prescribe the duties of the various public officials with respect thereto, and to provide punishment for violations of this act," approved April 8, 1911 (General Acts 1911, p. 356.)

Said amendment being set out in the foregoing message from the governor.

Yeas, 25; nay, 1.

Yeas:

Messrs:

Acker
Beale

Bedsloe
Briscoe

Caffey
Carlton

Carmichael
Cowan

Craft	Harper	Phillips	Smith (Coosa)
Espy	Huddleston	Prestwood	Smith (Lawrence)
Evins	Miller	Rogers (Sumter)	Tally
Griffith	Morris	Sims	West
Gunter			

—25

Nays:

Mr. McDowell—1.

Being a majority of the whole number elected to the Senate.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has concurred in and adopted the amendment proposed by the governor to the bill:

S. 371. To amend section 2 of an act "to provide for the creation of the office of State prison inspector; to prescribe the duties and powers of such office; to provide for the necessary assistants to said inspector; to fix the compensation of such inspector and his assistants; to provide for the construction, the regulation, the management, the maintenance, the operation, the healthfulness, and the sanitation of all county jails, almshouses, and such town and city prisons as are in towns or cities of ten thousand or more population, according to the last Federal census, under the supervision of said inspector, and to prescribe the duties of the various public officials with respect thereto and to provide punishment for violations of this act," approved April 8, 1911 (General Acts 1911, p. 356).

By a majority of the whole number elected to the House: Yeas, 64; nays, 0.

And returns said bill together with the governor's amendment to the Senate.

Fred H. Gormley,
Clerk.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bills:

S. 367. To provide for the payment and retirement of claims against the fine and forfeiture fund of Cullman county, Alabama.

S. 658. To require all companies, corporations, lessees, owners or receivers of any railroad or railway company operating passenger cars in this State to cause the windows of such cars to be screened, under regulations to be adopted by the Alabama public service commission.

S. 596. To regulate the holding of elections in all counties in this State having more than 35,000 population, according to the last or any succeeding Federal census.

S. 463. To fix the salary of the judge of the county court in all counties having a population of not less than 32,900 and not more than 33,000 or any subsequent Federal census.

And returns said bills to the Senate.

Fred H. Gormley,
Clerk.

HOUSE MESSAGE.

On motion of Mr. Griffith the Senate concurred in the following amendment by the House to Senate bill 367, the title of which is set out in the foregoing message from the House, to-wit:

Amend section No. 2 of Senate bill No. 367 by striking out the words "sixty cents" where they appear in said section and insert in lieu thereof the words "fifty cents."

Amend section No. 1 of S. B. 367 by inserting after the word "accepted" on line 8 of said section the following: "Provided, however, that the court of county commissioners of said county shall not pay more than one-fourth of the total amount of such claims so accepted in any one year."

Yeas, 20; nays, 0.

Yeas:

Messrs:

Beale	Carmichael	Gunter	Phillips
Bedsole	Cowan	Harper	Rogers (Sumter)
Briscoe	Craft	Kelly	Sims
Caffey	Evins	Morris	Smith (Lawrence)
Carlton	Griffith	McDowell	West

—20

Nays:—None.

On motion of Mr. Harper, the Senate concurred in the following amendment by the House to Senate bill 658, the title of which is set out in the foregoing message from the House, to-wit:

Amend section 1 by striking out the words "sixty days" in next to the last line of said section and inserting in lieu thereof the words "four months."

Yeas, 17; Nays, 8.

Yeas:

Messrs:

Beale	Espy	Miller	Smith (Coosa)
Briscoe	Gunter	Phillips	Smith (Lawrence)
Caffey	Harper	Prestwood	Tally
Cowan	Kelly	Rogers (Sumter)	West
Craft			

—17

Nays:

Messrs:

Acker	Ellis	Griffith	Morris
Carlton	Evins	Huddleston	McDowell

—8

On motion of Mr. West the Senate concurred in the following amendment by the House to Senate bill No. 596, the title of which is set out on the foregoing message from the House, to-wit:

By striking out the proviso in section 1, and inserting in lieu thereof the following proviso:

Provided, that this act shall apply in the counties mentioned only to cities and towns of more than fifteen hundred population according to the last or any succeeding Federal census.

Yeas, 20; nays, 0.

Yeas:

Messrs:

Acker	Cowan	Harper	Rogers (Sumter)
Beale	Craft	Kelly	Sims
Briscoe	Ellis	Morris	Smith (Coosa)
Caffey	Evins	McDowell	Tally
Carmichael	Griffith	Phillips	West

—20

Nays:—None.

On motion of Mr. Tally the Senate concurred in the following amendment by the House to Senate bill 463, the title of which is set out in the foregoing message from the House, to-wit:

A BILL TO BE ENTITLED AN ACT.

S. 463. To fix the salary of the judge of the county court in all counties having a population of not less than 32,900 and not more than 33,000 according to the last or any subsequent Federal census.

Be it enacted by the Legislature of Alabama:

1. That from and after the passage of this act there shall be paid out of the county treasury to the judge of the county court an annual salary, in equal monthly installments, or six hundred dollars in all counties having a population of not less than 32,900 and not more than 33,000 according to the last or any subsequent Federal census.

Yeas, 22; nays, 0.

Yeas:

Messrs:

Beale	Cowan	Kelly	Rogers (Sumter)
Briscoe	Craft	Miller	Smith (Coosa)
Brown	Ellis	Morris	Smith (Lawrence)
Caffey	Evins	McDowell	Tally
Carlton	Gunter	Phillips	West
Carmichael	Harper		

—22

Nays:—None.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has passed the following Senate bills:

S. 743. To amend section 52 of the Code of Alabama of 1907.

Also:

S. 314. To provide for instruction in regard to the humane protection of animals in the public schools.

Also:

S. 745. To amend section 5992, Code 1907.

Also:

S. 627. Special appropriation for erection and equipment of two buildings for the Alabama insane hospitals on the grounds of the Bryce Hospital at Tuscaloosa.

Also:

S. 741. To amend section 5982, Code 1907.

Also:

S. 740. To amend an act to provide a stenographer for the Supreme Court reporter, to fix the salary of same and to make appropriations to pay such salary, approved April 24, 1911 (Acts 1911, p. 723).

And returns same herewith to the Senate.

Fred H. Gormley,
Clerk.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has concurred in and adopted the amendment proposed by the governor to the bill:

S. 442. To create the office of State fire marshal, and to provide for the appointment of deputy marshal and assistant; to define their powers and duties and to fix their compensation; to provide ways and means for the enforcement of this act and penalties for violation thereof; and to provide means for defraying the expenses incurred under the provisions hereof.

And returns said bill, together with the governor's message, to the Senate.

Fred H. Gormley,
Clerk.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has passed the following Senate bill:

S. 287. To amend section 6967 of the Code.

And returns same herewith to the Senate.

Fred H. Gormley,
Clerk.

REPORT FROM COMMITTEE ON ENROLLED BILLS.

Mr. President:

Your Standing Committee on Enrolled Bills beg leave to report that said committee, in session, have compared the following enrolled bills, with the engrossed and original bills, respectively, and find same correctly enrolled, to-wit:

S. 596. To regulate the holding of elections in all counties in this State having more than 35,000 population, according to the last or any succeeding Federal census.

S. 207. To prohibit the assessing or collecting of any privilege or license tax or fee, by municipalities, from persons for conducting or operating any business, trade or profession outside the corporate limits of such municipalities.

S. 658. To require all companies, corporations, lessees, owners or receivers of any railroad or railway company operating passenger cars in this State to cause the windows of such cars to be screened, under regulations to be adopted by the Alabama public service commission.

S. 754. To change, alter or enlarge the corporate limits of the town of Inglenook, Jefferson county, Alabama.

S. 627. Special appropriation for erection and equipment of two buildings for the Alabama insane hospitals on the grounds of the Bryce Hospital at Tuscaloosa.

S. 222. To amend sections 11, 18 and 32 of an act entitled, "An act to prescribe the qualifications of jurors and regulate the selection, drawing and summoning of jurors, and prescribe the qualifications and provide for the appointment of jury commissioners and clerks of such commissions and regulate the empanelling of grand and petit juries in all the courts of this State," approved August 31st, 1909.

S. 233. To require the superintendent of banks to certify and pay to the treasurer of the State of Alabama all funds remaining in the hands of the superintendent of banks, uncalled for, which have been held by him in trust for depositors and creditors of liquidated banks, from which they were received after three (3) years from the final liquidation of such bank.

S. 127. To provide for changing the name and for making an appropriation to the Huntsville State Normal and Industrial School, to be known as the Agricultural and Mechanical College for Negroes.

S. 287. To amend section 6967 of the Code.

S. 374. To submit to the qualified voters of the State of Alabama, at a special election to be held on the proclamation of the governor of Alabama, for their consideration, an amendment to the Constitution of Alabama empowering the Legislature to au-

thorize counties, which have or which shall have taxable property in such counties of one hundred millions of dollars annually, or more, according to the assessments by such counties for the year 1918 A. D., or according to any annual assessment hereafter made, to engage in, lend their credit, grant public money or other thing of value in aid of the acquirement, construction, purchase, ownership, lease, maintenance, use, control and operation of highways, railroads,—by any kind of motive power, conveyance or appliance; freight stations; passenger stations; wharves; piers; docks; warehouses; grain elevators; storage tanks; team trucks; and all other facilities and structures appurtenant thereto, in aid of commerce; the dredging of the approaches to the water terminals; to traverse or cross adjacent counties; and to increase the limit of county indebtedness from 3½ to 4½ per cent of such taxable property.

S. 713. To make appropriations to the University of Alabama.

S. 451. To fix the compensation of members of boards of revenue, and the clerks thereof, in this State in counties which now have or which may hereafter have a population of 82,000 and not exceeding 100,000 people according to the last Federal census, or any such census which may hereafter be taken, and to provide for the payment of such compensation.

S. 442. To create the office of State fire marshal and to provide for the appointment of deputy marshals and assistants; to define their powers and duties, and to fix their compensation, provide ways and means for the enforcement of this act and penalties for violation thereof; and to provide means for defraying the expenses incurred under the provisions hereof.

S. 367. To provide for the payment and retirement of claims against the fine and forfeiture fund of Cullman county, Alabama.

S. 738. To make an appropriation to the public schools.

S. 309. To provide for the establishment and maintenance of a home for mental inferiors in Alabama; to define who are mental inferiors; to provide for their care, treatment and training and to appropriate the money necessary therefor from the State treasury.

S. 731. To make an appropriation to the State board of education.

S. 371. To amend section 2 of an act "To provide for the creation of the office of State prison inspector; to prescribe the duties and powers of such office; to provide for the necessary assistants to said inspector; to fix the compensation of such inspector and his assistants; to provide for the construction, the regulation, the management, the maintenance, the operation, the healthfulness, and the sanitation of all county jails, almshouses,

and such town and city prisons as are in towns or cities of ten thousand or more population according to the last Federal census, under the supervision of said inspector, and to prescribe the duties of the various public officials with respect thereto, and to provide punishment for violations of this act," approved April 8, 1911 (General Acts 1911, p. 356).

S. 767. To amend sections 1, 3, 4, 5, and 7 of an act entitled, "An act to regulate the sale of food and drugs in the State of Alabama; to provide for enforcement and inspectors and prescribe penalties for violations thereof," approved August 26, 1909.

Chas. McDowell, Jr.,
Chairman.

SIGNING OF BILLS.

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the following bills:

S. 596. To regulate the holding of elections in all counties in this State having more than 35,000 population, according to the last or any succeeding Federal census.

S. 207. To prohibit the assessing or collecting of any privilege or license tax or fee, by municipalities, from persons for conducting or operating any business, trade or profession outside the corporate limits of such municipalities.

S. 658. To require all companies, corporations, lessees, owners or receivers of any railroad or railway company operating passenger cars in this State to cause the windows of such cars to be screened, under regulations to be adopted by the Alabama public service commission.

S. 754. To change, alter or enlarge the corporate limits of the town of Inglenook, Jefferson county, Alabama.

S. 627. Special appropriation for erection and equipment of two buildings for the Alabama insane hospitals on the grounds of the Bryce Hospital at Tuscaloosa.

S. 222. To amend sections 11, 18 and 32 of an act entitled, "An act to prescribe the qualifications of jurors and regulate the selection, drawing and summoning of jurors, and prescribe the qualifications and provide for the appointment of jury commissioners and clerks of such commissions and regulate the empanelling of grand and petit juries in all the courts of this State," approved August 31st, 1909.

S. 233. To require the superintendent of banks to certify and pay to the treasurer of the State of Alabama all funds re-

maining in the hands of the superintendent of banks, uncalled for, which have been held by him in trust for depositors and creditors of liquidated banks, from which they were received after three (3) years from the final liquidation of such bank.

S. 727. To provide for changing the name and for making an appropriation to the Huntsville State Normal and Industrial School, to be known as the Agricultural and Mechanical College for Negroes.

S. 287. To amend section 6967 of the Code.

S. 374. To submit to the qualified voters of the State of Alabama, at a special election to be held on the proclamation of the governor of Alabama, for their consideration, an amendment to the Constitution of Alabama empowering the Legislature to authorize counties which have or which shall have taxable property in such counties of one hundred millions of dollars annually, or more, according to the assessments by such counties for the year 1918 A. D., or according to any annual assessment hereafter made, to engage in, lend their credit, grant public money or other thing of value in aid of the acquirement, construction, purchase, ownership, lease, maintenance, use, control and operation of highways, railroads,—by any kind of motive power, conveyance or appliance; freight stations; passenger stations; wharves; piers; docks; warehouses; grain elevators; storage tanks; team trucks; and all other facilities and structures appurtenant thereto, in aid of commerce; the dredging of the approaches to the water terminals; to traverse or cross adjacent counties; and to increase the limit of county indebtedness from $3\frac{1}{2}$ to $4\frac{1}{2}$ per cent. of such taxable property.

S. 713. To make appropriations to the University of Alabama.

S. 451. To fix the compensation of members of boards of revenue, and the clerks thereof, in this State in counties which now have or which may hereafter have a population of 82,000 and not exceeding 100,000 people according to the last Federal census, or any such census which may hereafter be taken, and to provide for the payment of such compensation.

S. 442. To create the office of State fire marshal and to provide for the appointment of deputy marshals and assistants; to define their powers and duties, and to fix their compensation, provide ways and means for the enforcement of this act and penalties for violation thereof; and to provide means for defraying the expenses incurred under the provisions hereof.

S. 367. To provide for the payment and retirement of claims against the fine and forfeiture fund of Cullman county, Alabama.

S. 738. To make an appropriation to the public schools.

S. 309. To provide for the establishment and maintenance of a home for mental inferiors in Alabama; to define who are mental inferiors; to provide for their care, treatment and training and to appropriate the money necessary therefor from the State treasury.

S. 731. To make an appropriation to the State board of education.

S. 371. To amend section 2 of an act "To provide for the creation of the office of State prison inspector; to prescribe the duties and powers of such office; to provide for the necessary assistants to said inspector; to fix the compensation of such inspector and his assistants; to provide for the construction, the regulation, the management, the maintenance, the operation, the healthfulness, and the sanitation of all county jails, almshouses, and such town and city prisons as are in towns or cities of ten thousand or more population according to the last Federal census, under the supervision of said inspector, and to prescribe the duties of the various public officials with respect thereto, and to provide punishment for violations of this act," approved April 8, 1911 (General Acts 1911, p. 356).

S. 767. To amend sections 1, 3, 4, 5, and 7 of an act entitled, "An act to regulate the sale of food and drugs in the State of Alabama; to provide for enforcement and inspectors and prescribe penalties for violations thereof," approved August 26, 1909.

BILLS ON THIRD READING.

The bill:

H. 849. To amend section 1313 of the Code of Alabama of 1907.

Was read a third time at length and passed.

Yeas, 23; nays, 0.

Yeas:

Messrs:

Acker	Carlton	Harper	Rogers (Sumter)
Baker	Carmichael	Huddleston	Sims
Beale	Cowan	Kelly	Smith (Lawrence)
Bedsole	Craft	Morris	Tally
Briscoe	Ellis	McDowell	West
Caffey	Espy	Phillips	

—23

Nays:—None.

The bill:

H. 656. To authorize and empower cities and towns of the State of Alabama to contract with the United States of America, the State of Alabama, and any county of the State of Alabama, for the construction or improvement, or the reconstruction or re-improvement of streets, avenues and highways, when such

streets, avenues or highways are established, constructed, reconstructed, improved or reimproved by the United States government, the State of Alabama, or any county of the State of Alabama, and to agree upon the proportionate share of the cost of such assessment to be paid by any municipality; and to provide for the assessment of the same against the property benefited; and to authorize the issuance of bonds for such public improvements; and to provide that such proceedings shall be governed by the general laws of Alabama relating to assessments for public improvements, except as herein provided.

Was read a third time at length and passed.

Yeas, 22; nays, 0.

Yeas:

Messrs:

Acker	Caffey	Griffith	Phillips
Baker	Carlton	Harper	Rogers (Sumter)
Beale	Carmichael	Kelly	Sims
Bedsole	Cowan	Morris	Smith (Lawrence)
Briscoe	Craft	McDowell	Tally
Brown	Espy		

—22

Nays:—None.

The bill:

H. 944. To provide for the establishment and maintenance of public libraries by counties, to provide for their government and supervision, and to authorize the co-operation and affiliation of rural, town and village school libraries with any libraries so organized.

Was read a third time at length and passed.

Yeas, 23; nays, 0.

Yeas:

Messrs:

Acker	Carlton	Evins	McDowell
Beale	Carmichael	Griffith	Phillips
Bedsole	Cowan	Harper	Rogers (Sumter)
Briscoe	Craft	Kelly	Sims
Brown	Ellis	Miller	Tally
Caffey	Espy	Morris	

—23

Nays:—None.

The bill:

H. 751. To further prohibit disturbances at churches, school houses, or at other public places; to prevent injury to automobiles and other vehicles parked at such places.

Was read a third time at length and passed.

Yeas, 22; nays, 0.

Yeas:

Messrs:

Acker	Carlton	Griffith	McDowell
Beale	Carmichael	Harper	Phillips
Bedsole	Cowan	Kelly	Rogers (Lauderdale)
Briscoe	Craft	Miller	Rogers (Sumter)
Brown	Ellis	Morris	Tally
Caffey	Espy		

—22

Nays:—None.

The bill:

H. 813. To amend section 7000 of the Code of Alabama, 1907.

Was read a third time at length and passed.

Yeas, 21; nays, 0.

Yeas:

Messrs:

Acker	Carmichael	Griffith	Phillips
Beale	Cowan	Harper	Rogers (Sumter)
Bedsole	Craft	Kelly	Sims
Briscoe	Espy	Miller	Smith (Lawrence)
Caffey	Evins	Morris	Tally
Carlton			

—21

Nays:—None.

The bill:

H. 688. To provide for the organization of land owners, of any county, of districts within said county, for the purpose of building, improving and maintaining public roads in such districts, to confer the right of eminent domain to the extent necessary to carry out the purposes of this act, to provide for raising the funds by bond issue or otherwise, to pay the costs of building and maintaining such highways by assessment of the lands in said district in proportion to the benefits received by reason of such improvement.

Was taken up.

Mr. Acker offered the following substitute for said bill, to-wit:

H. 688. To provide for the organization of land owners, of any county, of districts within said county, for the purpose of building, improving and maintaining public roads in such districts, to confer the right of eminent domain to the extent necessary to carry out the purposes of this act, to provide for raising the funds by bond issue or otherwise, to pay the cost of building and maintaining such highways by assessment of the lands in said district in proportion to the benefits received by reason of such improvement.

Be it enacted by the Legislature of Alabama:

1. (A). That whenever a majority in land acreage or number of land-owners within a proposed road improvement district in any county shall petition the court to establish a road improvement district to embrace a certain region which it is intended shall be embraced within the boundaries of the proposed district and shall file a plat with said petition upon which the boundaries of the proposed district shall be plainly indicated showing the roads which it is intended to construct and improve as nearly as practicable, and shall also file a good bond conditioned that petitioners will pay all court costs and legal advertising that may accrue in the event said district is not established, it shall then be the duty of the court to give public notice by publication in some weekly newspaper having a bona fide circulation in said county by three consecutive insertions therein that said petition has been filed, and giving a description of the territory embraced in said petition in as large subdivisions or calls as practicable, and calling upon all persons, firms or corporations owning land or other real property within the proposed district to appear before the court on some date to be fixed by the court not less than five days after the last insertion of said notice to show cause for or against the establishment of said district. The original petition may be circulated among the land-owners, or such number of exact copies of same as may be deemed necessary may be circulated, and when all of said petitions are filed at or before the time of the hearing above mentioned the said petitions shall be consolidated and treated as one petition, if same are filed before or at the date of said hearing.

(B). Provided, however, upon application of the court, or of ten or more land-owners within a proposed road improvement district to the State highway commission it shall be the duty of the State highway commission to instruct and direct the State highway engineer, or his assistant, to prepare preliminary surveys, plans, specifications and estimates of the roads which it is proposed to construct and improve within said district in the same manner as set out in section 7 of this act, and file them with the court of said county for the purpose of determining the feasibility of any road improvement and the cost thereof before said petitions are circulated, and when said preliminary plans, specifications and estimates are so made and filed the State highway commission, upon the application of either the court or ten or more land-owners, shall cause to be prepared the petitions to be circulated among the land-owners in the proposed district for the purpose of obtaining a majority in land value, acreage or number of land-owners as set out in the preceding section, and

when such majority is obtained said petition shall be filed with the said court, and a date set for hearing and due notice thereof given to the owners of real property in said district of said hearing as provided by the preceding section, and when said hearing is so had. The organization of said district shall then proceed in the manner hereinafter prescribed.

2. The court, at the hearing provided for in the preceding section, shall determine the sufficiency of said petitions, and if any person whose name appears on the petition shall, for any valid reason, desire to remove his name from said petition, he shall state his reasons therefor in writing, and any person who objects to the formation of said district shall present his objections in writing.

If it appears to the court that the petition is signed by either a majority in land value, acreage or in number of land-owners within the proposed district, and if the said body deems it to be the best interest of the county and the land-owners in said district, it shall be the duty of the said body to make an order establishing said district, such majority in acreage, number of land-owners, or majority in land value to be determined by the assessment for the purpose of general taxation in force in said county at the time, and, if the said body is of the opinion that any part, or parts, of the territory included in the petition and plat is not benefited by the proposed improvement, it may, in the order creating said district, eliminate such territory from the boundaries of this district.

The petition may be signed by women who own real property, whether married or single; guardians may sign for their wards, and trustees, executors and administrators may sign for the estate represented by them, and, if the signature of any corporation is attested by the corporate seal the same shall be sufficient evidence of the assent of the corporation to said petition.

The words "real property," or "land" wherever used in this act, shall include land, improvements therein, railroads, railroad rights-of-way and improvements thereon, including public buildings, sidetracks, etc., and tramroads.

3. The order of the court establishing a road improvement district shall have the force and effect of a judgment and shall be deemed conclusive, final and binding upon all territory embraced in said district, and shall not be subject to collateral attack, but only to direct attack on appeal.

Any owner of real property within the district may appeal from said judgment within thirty days by filing an affidavit for appeal, stating in said affidavit the special matter on which said appeal is taken, and any owner of real property may likewise

appeal from the order of the court refusing to establish such district or eliminate any territory therefrom.

No appeal shall delay the proceedings for carrying out the proposed improvement after the order of the court establishing same is made, and any party not appealing within the time herein prescribed shall be deemed to have waived any objection he may have to said order, and to have relinquished all rights he may have had to question same.

4. When the court makes an order establishing a road improvement district, it shall also make an order declaring the same to be, and to exist, under the name and style of road improvement district (name and number) of.....county, Alabama, and said district shall then become a body politic and corporate by said name and may sue and be sued, plead and be impleaded, and have perpetual succession for the purpose of building, constructing, maintaining and repairing the roads in said district.

The court, at the same time, shall also appoint three persons, owners of real property in said district and men of business ability, to act as commissioners for said district.

5. Each of the commissioners so named shall take the oath of office required by the laws and Constitution of the State of Alabama, and shall also swear that he will not directly or indirectly be interested in any contract made by the board of commissioners. The board of commissioners shall take the oath before any clerk of a court of record, or notary public, and a copy of the oath shall be signed by the members of the board and filed with the clerk of the court appointing them in the records of the proceedings for said district.

Any member of the board failing or refusing to take the oath of office within thirty (30) days after he is notified of his appointment by the clerk of the court shall be considered to have declined to serve, and the vacancy filled by the court at its next regular, special or adjourned term.

6. Upon the qualification of members of the board of commissioners, they shall organize by selecting one of their number president, and another secretary. They shall also adopt a seal for the district, and procure such records and books as are necessary for the carrying on the business of the district.

As soon as a report of the organization of the district is made to the court said road improvement district shall become a body politic under the laws of the State of Alabama. It may sue and be sued; plead and be impleaded; and have perpetual succession for the purpose of building, maintaining and repairing the public roads within said district, as hereinafter provided.

The members of the board shall be allowed as compensation an amount deemed reasonable by the court, not to exceed five dollars (\$5.00) per day while engaged in attending board meetings and also necessary expenses while engaged on business for the district out of the county, said amount to be paid out of the funds of said road improvement district.

The board of commissioners are also authorized to engage the necessary attorneys, engineers and other agents for assisting them in carrying out the improvements contemplated, and they shall fix their pay.

7. Immediately upon the qualification and organization the board of commissioners shall call upon the State highway engineer unless the court should deem it advisable to employ some other competent engineer instead to prepare preliminary plans, specifications and estimates of the roads which it is proposed to construct, maintain and repair, and said plans, specifications and estimates, among other things, shall show the starting point, or points, the general direction of the roads to be constructed, their termini, cuts, fills, grading to be done, bridges and culverts to be constructed, the length and width of the roads, the depth, character and other essentials of the materials to be used in the construction of the improvement, together with the estimated cost of said improvement. The State highway engineer, when called upon, shall file a certified copy of his bond, as State highway engineer, in the county where said improvement is to be made, and same shall be recorded in the proceedings for said district. Said engineer shall have general supervision and shall direct the work as it progresses.

Provided, however, if any engineer other than the State highway engineer is appointed he shall give bond in a sum not less than one thousand (\$1,000.00) dollars, to be fixed by the board and approved by the court, conditioned that said engineer will faithfully discharge the duties imposed upon him as engineer for said district, and said engineer so selected shall proceed to prepare the plans, specifications and estimates as above set out, together with any changes or alterations thereafter agreed upon, and when said plans, specifications, and estimates are prepared by said engineer they may be subject to the approval of the State highway engineer.

And, provided, further, that if a preliminary survey, plans, specifications and estimates are made in accordance with section 1 (B) of this act, and the commissioners find that said engineer's report is full and complete, or that any part thereof is applicable and may be used to the advantage of the district, they shall adopt

the same in whole, or in part, as the case may be, and report same to the court.

Provided, however, in formulating the plans for said district only such roads as are public roads at the time, or such as may be dedicated as public roads, or laid out as public roads by the court in accordance with section 36 of this act, shall be improved under the terms of this act, and when any extension, or lateral road is ordered improved in accordance with section 16 of this act, said roads shall first be dedicated, or established as a public road by proper order of the court, as the case may require.

8. In order to hasten the work of securing plans for the improvements, and estimates of the cost thereof, the board of commissioners may borrow money at a rate of interest not to exceed six per cent per annum, and issue negotiable notes therefor, signed by the members of the board of commissioners, and said board may pledge all assessments hereinafter provided for for the payment thereof, and out of the amount so borrowed all necessary engineering, legal and incidental expenses may be paid.

9. As soon as the commissioners have formulated the plans for the district, and shall have ascertained the cost thereof, they shall report same to the court and file the official plans for said district in the office of the clerk. The court shall at its first regular, special or adjourned term, held thereafter, appoint three owners of real property within said county who shall constitute the board of assessors for said district.

10. The board of assessors shall meet at a time within thirty days, to be designated by the president of the board of commissioners, and shall take the oath prescribed by the laws and Constitution of the State of Alabama, and shall also swear that they will well and truly assess the benefits to be received by each land-owner by reason of the improvement as affecting the lands or other property in said district, which oath shall be filed with the clerk of the court and duly recorded in the proceedings for the district. A majority of the assessors shall constitute a quorum for the transaction of business. If any person appointed by the court as assessor shall fail or refuse to take the oath within thirty days he shall be deemed to have declined to serve, and his place shall be filled by the court appointing another person to fill the vacancy. The said appointment may be made at a regular, special or adjourned term of said court. The assessors shall hold their office until the work is completed, or until they are removed by the court for any good reason, and shall receive as compensation for their services a sum to be fixed by the commissioners and approved by the court, not to exceed \$5.00 per day.

11. The assessment of benefits shall be made by the assessors in a book bound in permanent form and furnished by the district and at such a time as directed by the board of commissioners.

The assessors shall assess the benefits to be received by the several and particular tracts of land, railroads, tramroads and other real property within the district by reason of the improvement. All lands embraced in said district shall be entered upon said book in convenient subdivision, as surveyed by the United States, and appearing upon the assessment books in force at the time in said county in appropriate columns, showing: (1) Name of the owner; (2) subdivision of land; (3) number of acres; (4) present assessed value; (5) assessed benefits per acre; (6) assessed benefits to each tract; and, if it be a railroad, or tramroad, the name of the owner thereof, the supposed mileage in said district, the present assessed value of said railroad and other property belonging to said company, and the amount of assessed benefits per mile, and the total amount of the benefits assessed against said railroad or tramroad, and no error in the name of owner, or description of property shall invalidate said assessment, if sufficient description is given to identify same, and any error or mistake in making said assessment may be corrected at the hearing hereinafter provided for.

12. The assessors shall also assess the damages accruing to any owner of real property, if any, in the same book in which the assessment of benefits is made, and said damages may be paid out of the funds of the district, or by a reduction in the assessment of benefits in proportion to the amount of the damages sustained by reason of right-of-way taken, or other damage sustained.

13. As soon as the assessors have completed the work of assessment for the district, they shall certify to same and deliver it to the board of commissioners. The commissioners shall immediately file same in the office of the clerk of the court and the clerk of said court shall give public notice by two consecutive insertions in a publication having a general circulation in said county. Said notice shall give a description of all lands embraced in said district in the largest subdivision practicable and shall state that said assessment of benefits and damages has been filed in said office and shall call upon any person, firm or corporation aggrieved by reason of any assessment to appear before the court on some date to be fixed by the court not less than five days after the last insertion therein, for the purpose of having any errors adjusted or wrongful or grievous assessment corrected and all grievances or objections to said assessment shall be presented

to said court in writing. Any person who is damaged by reason of said improvement may appear before said court at the same time, for the purpose of having the assessment of damages adjusted.

The court shall hear and determine the justness of any assessment of benefits, or damages, and is hereby authorized to equalize, lower or raise any assessment upon a proper showing to the court.

14. At the hearing provided for in the preceding section and after the court shall have considered the assessment of benefits, it shall enter its findings thereon, **either confirming the assessment of benefits against said property, increasing or diminishing same, and the order made by the court shall have all the force and effect of a judgment against all real property in said district, and it shall be deemed final, conclusive, binding and incontestable except by direct attack on appeal.**

Any owner of real property within the district may appeal from the judgment fixing the assessment of benefits or damages within ten days by filing an affidavit for appeal and stating therein the special matter appealed from, but such appeal shall affect only the particular tract of land or other real property concerning which said appeal is taken, and on appeal only the special matters set up in said affidavit shall be considered by the circuit court.

If no appeal is taken within the time such judgment shall be deemed final, conclusive and binding upon all real property in the district, and the owners thereof, and said assessment of benefits shall not be subject to collateral attack.

The board of commissioners on behalf of the district, or any owner of real property therein may likewise appeal from any order of the court refusing to enter such judgment, and said court may be compelled by mandamus to enter such judgment.

15. Whenever the commissioners find that other land not embraced within the boundaries of the district are benefited by reason of the improvement made, or about to be made, they shall instruct the assessors herein provided for to assess the benefits accruing to such lands by reason of the improvement, and shall file a special report in the court setting up the lands so benefited together with assessment of benefits made by the assessors for the district.

Thereupon, the court shall set a date for a hearing upon said special report and assessment of benefits, and direct that public notice by two consecutive insertions in a publication having general weekly circulation in said county be given, and said notice shall call upon the adjoining land-owners affected by said special

report to appear and show cause why the boundaries of the district should not be extended so as to include the property so assessed, and to make any objections they may have to the assessment of the benefits so made.

At the hearing which shall not be held earlier than five days after the last insertion of said notice, the court shall investigate as to whether the land beyond the boundaries of the district are really benefited by reason of the improvement, and if it finds that said lands are benefited, the boundaries of the district will be so extended as to embrace the land so benefited and the court at the same time shall also consider the assessment of benefits so made on said land and enter its findings thereon in accordance with section 12 of this act.

16. If the commissioners find it necessary and to the best interest of the district at any time before the improvements are made, to make any alteration or change the plans and specifications, or the route of the road to be constructed, or that it is necessary to construct any additional laterals or extensions within the boundaries of the district not provided for in the original plans, or find that any road or roads in the course of construction shall be extended in the additional territory not included in the original district, they shall have the engineer for said district or the State highway engineer, as the case may be, to make plans and estimates of the cost of such changes, laterals or extensions.

When the engineer has completed his report of same he shall file with the board of commissioners, and the commissioners of said district shall file same in the office of the clerk of the court. Thereupon the court shall direct the clerk to give public notice that such report has been filed and set out the changes suggested, and calling upon the land-owners to appear in that court and show cause for or against said changes in the plans, route or the construction of any lateral or extension as the case may be at a date not earlier than five days after said public notice shall have been given in a newspaper having a general weekly circulation for two consecutive insertions.

If the court finds at the hearing above provided for that it is to the best interest of the district to make any change or alteration, or construct any lateral road or to extend any road into adjoining territory, or to extend the boundaries of the district so as to include adjoining territory it shall make an order extending the boundaries of the district approving the changes submitted or the construction of any lateral road or extension as the case may be, and from the finding of the court thereupon appeals may be taken by complying with section 14 of this act.

17. Whenever the commissioners or any owners of real property finds that by reason of any change of plans or alteration thereof, or by the construction of any lateral roads or extension into adjoining territory that the assessment of benefits previously made on any land has become inequitable by reason of said change they may petition the court to equalize, lower or raise the said assessment, and when such petition is filed it shall be the duty of the court to instruct the assessors for said district to reassess the benefits upon the lands or other real property of those complaining after such changes have been made or lateral roads constructed or extensions made and said assessment shall be approved by the court, or increased or diminished, and as reassessed shall be final and binding on the property, but when such an assessment is made in accordance with this section if the district has issued bonds or other negotiable evidences of indebtedness the total amount of the assessed benefits in the district shall not be diminished.

From such assessment appeal may be taken as herein provided by section 14, but any appeal taken shall affect only the particular tract of land concerning which said appeal was taken.

18. The board of commissioners may not oftener than once a year order a reassessment of the benefits, which shall be made, advertised, revived and confirmed as in the case of the original assessment and with like effect; but if the district shall have issued interest-bearing evidence of the debt, the total amount of the assessed benefits shall never be diminished.

19. The court shall, at the same time that the assessment of benefits is filed by the commissioners for said district, enter upon its record an order which shall have all of the force and effect of a judgment, providing that there shall be collected from the real property in the district such portion of the assessment shall be sufficient to pay the estimated cost of the improvement with ten per cent added for unforeseen contingencies, which assessment is to be paid by the real property of the district in proportion to the amount of the assessment of benefits thereon, and which is to be paid in annual installments, payable not to exceed twenty per cent for any one year, as provided in such order.

The assessment so levied shall be a lien upon all of the real property in the district from the time same is levied by the court, and shall be entitled to preference over all demands, executions, incumbrances or liens whatsoever created, and shall continue until such assessment with penalty and cost that may accrue thereon have been paid.

The remedy against such assessment and levy shall be by appeal, which may be taken as provided in section 15 of this act, and on appeal the presumption will be in favor of the legality of the tax. Any owner of real property within the district may by mandamus compel a compliance by the court with the terms of this section.

20. It shall be provided by resolution of the board of commissioners that the local assessment of benefits shall be paid in successive annual installments, so that no local assessment shall in any one year exceed twenty per cent of the benefits assessed against said real property. The resolution of the commissioners shall be made for the whole period during which the assessments are to be collected, and they shall transmit to the county tax assessor a copy of this resolution before September first each year. The resolution shall state the per cent of the benefits to be extended on the county tax books, and collected by the collector each year along with the other taxes.

When the resolution is filed with the assessor he shall extend the amount of assessments for benefits provided for in said resolution of the board, along with the taxes to be extended, and shall receive as compensation for his services an amount equal to that received for similar services performed for the county, and said amount shall be paid out of the fund of said road improvement district.

In paying the assessments provided for herein, or any cost, or penalty thereon, as between grantor and grantee, all payments not due at the time of the transfer, shall be payable by the grantee.

21. The collector of the county shall receive a commission of one per cent for his services in making such collections and the same shall be paid over to the treasurer of said county or depository where there is no treasurer every thirty days as collected. If any collector shall fail to collect the road improvement assessments along with the taxes he shall be subject to a penalty of one hundred dollars for each instance in which he shall collect (from) an individual the county taxes and omit the road improvement assessments, unless the road improvement assessment has been enjoined by a court of competent jurisdiction, and the tax assessor shall be subjected to a like penalty to be deducted by the court out of the fees due the assessor for each case in which he shall fail to enter the road improvement assessment on the tax books, as herein provided.

22. The county treasurer, or depository where there is no treasurer, shall be allowed a commission not exceeding one-half of one per cent upon all sums lawfully paid out to be fixed by the

board of commissioners and approved by the court, but he shall receive a commission only upon the money collected by the county collector and for the special assessment herein provided for and not a commission upon the proceeds of the sale of bonds. The treasurer or depository shall pay out no money save upon an order of the board and upon a warrant signed by the president and secretary of the board of commissioners. Every warrant so paid out shall state upon its face to whom paid, the amount of same and the purpose for which same was issued. All warrants shall be dated and numbered consecutively in a record to be kept by the board of commissioners of the number and amount of each warrant so issued, and no warrant shall be paid by the treasurer or depository unless there is in hand sufficient funds to pay all outstanding warrants bearing lower number. No warrant shall be issued by reason of any depreciation in the market value thereof, if any, nor shall any contract or warrant be made payable in anything but money.

23. When the commissioners receive the proceeds from the sale of bonds they may deposit the funds received therefrom in a solvent bank which will pay interest thereon at not less than three per cent per annum. Said bank shall give a good bond in an amount equal to one and one-third as much as the amount of the funds to be handled, with sufficient security conditioned that said funds shall be safely kept and paid out in accordance with law, but, before depositing such funds in said bank the board of commissioners shall report the selection of said bank as depository to the court and the selection shall be approved in writing by the court, as also the bond made by said bank, and said order shall be duly entered on the records of the court.

If the commissioners deem it best they may also deposit all funds received in said depository from the collection of assessments, sale of bonds, or otherwise, and when said funds are so deposited the treasurer shall receive no commission.

Warrants may be drawn on such bank and all warrants so drawn shall be signed by the president and secretary of the board of commissioners, or some one duly authorized by said board by proper resolution.

24. If the assessments first levied shall prove insufficient to complete the improvement, the board shall report the amount of deficiency to the court, and the court thereupon shall make another levy on the property previously assessed for a sum sufficient to complete the improvement, which shall be collected in the same manner as the first levy; provided, that when any work has been under the provisions of this act, and the first levy so made by the court is sufficient to complete the work, it shall then

be the duty of the court to make such a levy for its completion from year to year until it is completed; provided, however, that the total levy shall in no case exceed the value of the benefits assessed on said property. Any board of commissioners or persons interested may enforce the performance of such duties by mandamus.

25. If the assessment of the district as certified to by the tax assessor to the collector shall not be paid by the time fixed by law for the payment of county taxes, a penalty of twenty-five per cent shall attach for such delinquency and the board of commissioners shall institute proceedings in the circuit court for said county to enforce the collection of said delinquency, and said court shall give judgment against said lands and the real property for the amount of such assessments and said penalty of twenty-five per cent and the interest on the same for the expiration of the time for the payment of same to the collector at the rate of six per cent per annum and for all cost of said proceedings. Such judgment shall provide for the sale of said delinquent lands for cash by a commissioner of the court after advertisement, as hereinafter set forth. Said proceedings and judgment shall be in the nature of a proceeding in rem, and it shall be immaterial that the ownership of said lands be incorrectly alleged in said proceedings; and said judgment shall be enforced wholly against the lands and not against any other property of said defendant. All or any part of said delinquent lands or real property within the district may be included in one suit instituted for the collection of said delinquent assessments, penalty and cost, as aforesaid, and notice of the pendency of each suit shall be given by publication weekly for two consecutive weeks before judgment is entered for the sale of said lands in some newspaper in said county having a general circulation therein.

Said notice may be in the following form:

NOTICE.

Road Improvement District No. of County
vs.

Delinquent Lands in Said District.

All persons, firms or corporations having or claiming any interest in any of the following described lands or real property, are hereby notified that an action is pending in the circuit court of county, Alabama, to enforce the collection of certain road improvement assessments on the sub-joined list of lands and real property, each supposer owner's name having been set opposite his, her or its property, together with the total amount severally due from each; to-wit:

(Then shall follow a list of the supposed owners with a descriptive list of said delinquent lands and the amount due thereon, respectively, as aforesaid.)

Such notice may then continue in the following form:

All persons, firms or corporations interested in said property are hereby notified that they are required by law to appear within four weeks and make defense to said suits or the same will be taken for confessed and final judgment will be entered directing the sale of said lands for the purpose of collecting said taxes, together with all of the interest, penalties and cost allowed by law.

Clerk of Circuit Court.

The complaint above referred to need not allege minor details of organization of the district, or the manner of making or levying the assessments or benefits, but may allege generally the organization of said district, and that the taxes sought to be foreclosed in past due and unpaid.

26. At the first regular or adjourned term of the circuit court after said notice shall have been published for three consecutive weeks and not earlier than five days after the last insertion of said notice shall suit stand for trial, unless a continuance is granted to a delinquent for some good cause shown, in the discretion of the court, and such continuance shall not affect the court's duty to proceed with the delinquents as to whom no continuance was granted, and in all cases where said notice has been published as aforesaid, and no answer filed, or where answer is filed and the cause decided for the plaintiff, the circuit court by its decree shall grant the relief prayed for in the complaint, and shall tax as part of the cost a reasonable attorney's fee for the plaintiff, and shall direct said commissioner to sell the land described in the complaint at the front door of the county courthouse to the highest and best bidder for cash in land, after having first advertised such sale (such advertisement shall include all lands embraced in said decree) for two weeks consecutively in some newspaper published in said county, and if all lands be not sold on the day as advertised, such sale shall be continued from day to day until completed and said commissioner shall by proper deed convey to the purchaser as against all others whomsoever.

The commissioner conducting such sale shall be allowed a reasonable fee, to be fixed by circuit court, which shall be taxed as costs in the case. The commissioner shall keep an accurate list of all lands sold, and shall account to the board of commissioners for all money derived from the sale of delinquent lands.

27. Said suit shall be conducted in the name of the road improvement district and in accordance with the practice and procedure of the circuit court of this State, except as herein otherwise provided; and said suit may be disposed of on oral testimony as in ordinary suits at law, and this act shall be liberally construed to give to said assessment and assessment list the effect of bona fide mortgages for a valuable consideration, and a first lien upon said lands and real property as against all persons, firms or corporations having an interest therein; provided, that no informality or irregularity in holding any meeting provided for herein or in any description, valuation, or assessment of the property, or in the name of the owner, number of acres, or manner of assessment shall be valid defense to such action.

Provided, that in any case where the property is offered for sale by the commissioner herein provided, and the sum of the taxes due, together with the interest, cost and penalty, is not bid for the same, the commissioner shall bid the same off in the name of the road improvement district, bidding therefor the whole amount due, as aforesaid, and shall execute his deed therefor, as in other cases under this act conveying said property to said road improvement district and all deeds when duly executed in conformity with the provisions of this act and recorded shall be as evidence in all cases showing an indefeasible title in such purchaser, unassailable either at law or in equity; provided, that any time within three years after the rendition of said final decree by the circuit court herein provided for, the owner of the property may file his petition in said court alleging the payment of the assessment for the year for which said lands were sold, and upon the establishment of that fact, the court shall vacate and set aside the decree, as to that particular property; and, provided, further, that any owner of real property shall have the same right to redeem any and all property sold at such sale within one year thereafter.

28. The board of commissioners are hereby empowered and authorized to issue bonds or negotiable evidences of debt for the purpose of securing money with which to carry out and perfect the work of improvement. No bonds issued under the provisions of this act shall run for more than thirty years, and all issues may be divided so that a portion thereof may mature each year as the assessments are collected, and they may be all payable at the same time with proper provisions for a sinking fund.

That for the payment of both the principal and interest of the bonds to be issued under the provisions of the act, real estate subject to taxation is by this act pledged and mortgaged, and the board of commissioners are hereby required to set aside from

the first revenue collected as provided for in this act, a sufficient amount to pay the interest on said bonds, and the said board of commissioners shall make due provisions for the payment of the principal thereof as same shall become due.

29. The board of commissioners shall have, and they are hereby vested with power and authority, and it is hereby made their duty to build, construct and repair such roads, as may be deemed necessary to carry out the improvement contemplated, and in doing so shall expend such sums of money authorized to be levied and collected under the terms of this act, and all roads **built and constructed** under the authority of this act shall be public roads, and after their completion and acceptance by the court shall become a part of the general highways of the county, and for the purpose of maintaining the said roads, or assisting in their construction, the court shall supplement the revenues raised under the provisions in this act by allowing to said district an equitable portion of the road funds available in said county.

Provided, however, when a majority in acreage, number of land-owners, or in land value within a district shall petition the court for an order authorizing the commissioners to issue additional bonds for the purpose of maintaining roads in said road improvement district, it shall be lawful for the board to issue bonds for the purpose of providing funds immediately for said purpose, but no bonds issued for said purpose shall run for a period to exceed fifteen years, nor shall any issue exceed twenty per centum of the assessed value of the real property in a district at the time of said issue, but before any additional bond issue is authorized a date shall be fixed by the court for a hearing on said petition, and public notice given thereof, as provided by sections 1 and 2 of this act, and the sufficiency of said petition shall be determined in a like manner, and when an additional bond issue for the purpose of maintaining the roads in said district is authorized, if the county court finds that the assessment of benefits in force at the time is unequal or that it should be equalized or adjusted the court shall order a re-assessment of benefits, which shall be made, advertised, and confirmed in the manner provided by sections 9 to 14, inclusive, of this act, and with like effect; provided, however, if bonds or other interest-bearing evidences of indebtedness is outstanding at the time, the total of the assessment of benefits shall not be lowered, nor shall the additional issue of bonds, or the collection of any tax therefor in any manner interfere with the collection of the tax for the payment of the bonds issued prior to that time.

30. The board of commissioners are hereby authorized to advertise for proposals for doing work to be let by contract, and

they are hereby directed to advertise for bids on all contracts that will call for an expenditure of exceeding one thousand (\$1,000.00) dollars. The board may accept or reject any proposal as they see fit.

All contractors shall be required to give bond for the faithful performance of such contracts as may be awarded to them with good and sufficient security in an amount to be fixed by the board of commissioners, and said bond shall contain an additional obligation that such contractor, or contractors, shall promptly make payment to all persons supplying him, or them, labor and materials in the prosecution of work provided for in such contract.

If any contract is let to the contractor for the construction of a road, or any part thereof, the amount of work done by the contractor shall be estimated from time to time by a competent engineer, and not more than eighty-five per cent of the amount due the contractor shall be paid until it appears to the commissioners that the work has been completed according to contract, and that all material therein has been paid for.

Suit may be brought by and in the name of the district upon the bond given to the board. Any person, individual or corporation supplying labor and material shall have a right of action, and shall be authorized to bring suit in the name of the district for his, their, or its use and benefit against said contractor and surety, and to prosecute same to final judgment and execution, but such action and its prosecution shall involve the district in no expense whatsoever.

When it appears to the board of commissioners that the contractor is not paying for labor and material they may withhold, in addition to the above fifteen per cent, any and all amounts due said contractor until the labor and material has been paid for, or, if they deem it best they may, upon proper notice to the contractor, pay out to laborers and material men such funds as are on hand to the credit of the contractor. All amounts so held by the district for the payment of any just labor or materialmen's claims shall be regarded trust funds in all courts of law and equity.

Any attempt by any person, firm or corporation, directly or indirectly, by word or act, to prevent full and free competition in bidding on any contract shall be deemed a contempt of court, and the person so offending shall be dealt with accordingly, either upon the court's own motion, or upon affidavit filed stating facts; and if any person loan, give, or offer to loan or give, directly or indirectly any money, or any other thing of value to any member of the court, clerk, commissioners, engineer, contractor, bidder, or any other person, or any person in the employ of any of said

persons, for the purpose of preventing full, free and unrestricted competition in the bidding, or awarding any contract for work, for the sale or purchase of bonds, or securing employment in any position in connection with said district, such person, or persons, shall be guilty of a felony, and upon conviction thereof shall be punished by confinement in the penitentiary for a period of not less than one nor more than five years.

31. The board of commissioners may, if deemed to the best interest of this district, purchase material and implements necessary to carry on the work of improvement and employ all necessary agents therefor, and fix their pay, but the work of improvement shall be done under the direction and supervision of the State highway engineer, or any other competent engineer, as the case may be.

32. The board of commissioners shall cause the assessment to be made, and to be levied and collected, so long as it shall be necessary to pay any bonds issued or obligations contracted under authority, and the making of said assessment, or levy, may be enforced by mandamus. If any bond, or interest coupon of any bond or other negotiable evidence of debt issued by said board of commissioners is not paid within thirty days after the maturity, it shall be the duty of any circuit court having jurisdiction in said county, upon application of any holder of such bond or interest coupon so overdue to appoint a receiver to collect the assessments aforesaid, and an assessor who shall make an assessment of said property, and the proceeds of such assessment and collection shall be applied after the payment of the cost, first to the overdue interest, and then to the payment pro rate of all bonds issued by the said board of commissioners which are then due and payable; and the said receiver may be directed by suit to foreclose the lien of said assessment on said property, and any suit so brought by the receiver shall be conducted in all matters as a suit by commissioners herein provided for, and with like effect, and the decrees and deeds therein shall have the same presumption in favor of their legality; provided, however, that when all such sums have been paid, the receiver shall be discharged and affairs conducted by the board of commissioners.

33. Annually during the month of September, the board of commissioners for said district shall file with the clerk of the court, a settlement showing the collection made and moneys received from all sources whatsoever, the amount paid out, with proper vouchers for such payments and such settlement shall lie over for one month from the date of filing for examination and adjustment.

The court shall proceed to examine such settlement at its first regular, special or adjourned term, after the expiration of one month from the date of said filing, and shall disallow all unjust charges and credits, if there be, and readjust said settlement whenever an improper item appears in said settlement and such adjustment may be finally subject to a re-examination in a court of equity for error, mistake, or fraud upon suit brought by the board of commissioners, or by any taxpayer of such district.

All settlements when finally approved shall be indexed by the clerk of the court and filed away as public documents.

34. The commissioners or assessors shall not be liable to any one for mistakes, errors or judgment or negligence, but only for wilful misconduct in the discharge of their duties.

35. It shall be unlawful for the board of commissioners of any district formed under authority of this act or any officer, agent, or employee thereof to corruptly use, dispose of in any manner any bond or money arising from the sale thereof, or any fund of such district, and any commissioners, employees, agent, whomsoever violating the provisions of this act, as herein enumerated, shall be guilty of a felony and punished by imprisonment in the State penitentiary not less than one nor more than five years.

That every member of such board of commissioners who shall fail to make the settlement as required by the terms of this act shall be guilty of a misdemeanor, and upon conviction thereof, shall be fined in any sum not to exceed five hundred (\$500.00) dollars, and in addition thereto may be imprisoned for a period not to exceed sixty (60) days.

36. That it shall be the duty of the board of commissioners and the court in changing the route of any road to enter upon and lay out said road over any lands in any road improvement district in accordance with the provisions, and nothing in this act shall be construed to divest the court of its exclusive jurisdiction to determine any matter relating to county roads over which the said court has such exclusive jurisdiction under the Constitution and the laws of the State.

37. If any owner of real property in said district demands the assessment of damages to his property by reason of the improvement by a jury, the board of commissioners shall institute an action in the circuit court for the condemnation of said lands, which action shall be in accordance with the proceedings for the condemnation of the rights-of-way for railways, telegraphs and telephone companies with the right of paying into the court a sum to be fixed by the court, and them proceeding with the work before the assessment of said damages by a jury. Where there

is more than one claimant for damages, such actions shall be consolidated if practicable, and one jury shall assess the damages accruing to all.

38. If for any reason, or cause, the improvement shall not be made, all amounts borrowed, and all expenses and costs accrued shall be a charge against the real property in the district, including railroads and tramroads, and said amount shall be raised and paid by assessment in the manner herein provided, and the district shall not be abandoned until all expenses heretofore accrued in the establishment of same, together with such other expenses as may hereafter accrue, has been paid.

39. No appeal shall delay the proceeding for carrying out the improvement herein contemplated, and when an appeal is taken said appeal shall affect only the particular land or other real property owned by the person appealing, and if upon the determination of said appeal the party so appealing shall be unsuccessful, then all court cost and necessary expenses of said appeal shall be paid by him.

40. That the court shall be open at all times for the purpose of making an order or entering any judgment necessary for carrying forward the work of improvement contemplated by this act. To that end the court may at any regular, special or adjourned term, make any and all orders and judgments when called upon by the board of commissioners, and said orders and judgments shall have the same force and effect as if entered at a regular term of said court.

Any owner of real property, or the board of commissioners, may appeal from the orders and judgments of the court within ten days after it is entered by filing an affidavit for appeal to the circuit court, and stating therein the special grounds on which said appeal is taken, and unless said affidavit is so filed within said time all of the orders and judgments so entered shall be final, binding and conclusive, and shall not be subject to collateral attack, but only on direct attack by appeal taken within said time.

If the court fails or refuses to make any necessary orders or judgments when called upon by the board of commissioners, or any officer of said district, the court may by mandamus be required to enter said order or judgment. To this end the circuit court having jurisdiction is hereby vested with authority to hear and determine any mandamus, injunction, or other legal proceedings relative to said district, in vacation, and the ruling made by the circuit judge in vacation shall have the same force and effect as if made in term time, and shall not be questioned thereafter, either in law or equity; provided, however, any land-

owner or the board of commissioners may appeal from said order or ruling to the Supreme Court of Alabama upon the terms and conditions now prescribed by law.

Upon application to the Supreme Court all cases affecting any district shall be advanced as of public interest for the determination by that tribunal, and to this end the chief justice of the Supreme Court, or in his absence the next justice in rank, may make any order in vacation necessary for a prompt submission of the issues involved.

41. No injunction or process shall issue to stay the work on any road, or the collection of any tax hereunder, or the paying out of funds for just debts of the district, unless the party applying therefor shall first enter into bond with good and sufficient security, to be approved by the court or judge granting same, and payable to the board of commissioners for the benefit of said district in double the amount already expended on the establishment of the district and outstanding contracts, said bond to be conditioned for the payment of such amount, if said injunction is wrongfully granted, nor shall any injunction be granted except on ten days' written notice to the president of the board of commissioners, which notice shall state the time and place of the intended application for said injunction. Any injunction issued by any court, unless the foregoing terms have been complied with shall be void.

42. That the word court as herein used unless otherwise specified in that connection shall be taken to mean the court of county commissioners or board of revenue and road commissioners or such body by whatever name called supplying the place of the court of county commissioners.

43. Persons having improvements listed on the county tax rolls at one hundred (\$100.00) dollars or more on lands held under leases extending for twenty years or more shall be considered as land-owners for the purposes of this act.

44. This act shall take effect upon its passage, but no bonds shall be issued until an election in the road district shall have been held approving such issues the same to be called and held as other elections for bond issues, if such election is necessary; but if, before said bond issue is sought it should be held by the Supreme Court of this State, that there is no constitutional objection to the issuance of such bonds without such election, such bonds may then be issued without such election.

45. Should it transpire that it would be to the advantage of any district or districts to aid in the construction of a road or bridge or bridges in territory outside of such district or districts as for example, across the marshes and waters lying between the

highlands in Mobile and Baldwin counties, such district or districts, may levy and collect an assessment in excess of the amount necessary for the roads in such district or districts for the purpose of aiding in the construction and maintenance of such road or bridge or bridges outside of such district or districts, if approved by the majority in land value, acreage or number within such district or districts.

46. The purpose of this act is to promote the building of good roads and should any section thereof be declared invalid, but without such section or sections sufficient remain to accomplish such purpose, such remaining portion shall continue in force.

47. The bonds and coupons issued under and by authority of this act shall be exempt from all State, county or municipal taxation or assessment, direct or indirect, general or special, whether imposed for purposes of general revenue or otherwise, and the interest thereon shall not be subject to taxation as for income, nor shall said bonds and coupons be subject to taxation when constituting a part of the surplus of any bank, trust company, or other corporation, but when constituting a part of such surplus, shall be deducted from the total assets, in order to ascertain the taxable value of such shares.

Which was adopted.

Yeas, 24; nays, 0.

Yeas:

Messrs:

Acker	Carlton	Griffith	Phillips
Beale	Carmichael	Gunter	Rogers (Sumter)
Bedsole	Cowan	Harper	Sims
Briscoe	Craft	Kelly	Smith (Lawrence)
Brown	Ellis	Morris	Tally
Caffey	Espy	McDowell	West

—24

Nays:—None.

And said bill, as thus amended, was read a third time at length and passed.

Yeas, 24; nays, 0.

Yeas:

Messrs:

Acker	Caffey	Gunter	Rogers (Sumter)
Baker	Carlton	Harper	Sims
Beale	Carmichael	Huddleston	Smith (Coosa)
Bedsole	Cowan	Morris	Smith (Lawrence)
Briscoe	Craft	McDowell	Tally
Brown	Espy	Phillips	West

—24

Nays:—None.

The bill:

H. 785. To further regulate public gins and ginneries in this State.

Was read a third time at length and passed.

Yeas, 17; nays, 10.

Yeas:

Messrs:

Acker	Craft	Gunter	Rogers (Sumter)
Bedsole	Ellis	Kelly	Sims
Briscoe	Espy	Miller	Smith (Coosa)
Caffey	Evins	Phillips	West
Carlton			—17

Nays:

Messrs:

Beale	Griffith	McDowell	Smith (Lawrence)
Brown	Huddleston	Prestwood	Tally
Carmichael	Morris		—10

The bill:

H. 442. To change the name of the "Mercy Home Industrial School for Girls," located at Birmingham, Alabama, to the Alabama Vocational School for Girls, and to provide appropriations for the support, maintenance and improvement of the same.

Was read a third time at length and passed.

Yeas, 28; nays, 0.

Yeas:

Messrs:

Baker	Carmichael	Gunter	Rogers (Lauderdale)
Beale	Cowan	Harper	Rogers (Sumter)
Bedsole	Craft	Huddleston	Sims
Briscoe	Ellis	Kelly	Smith (Coosa)
Brown	Espy	Morris	Smith (Lawrence)
Caffey	Evins	McDowell	Tally
Carlton	Griffith	Phillips	West
			—28

Nays:—None.

The bill:

H. 935. To amend section 153 of the Code of Alabama.

Was taken up.

The Committee on Judiciary offered the following amendment to the bill, to-wit:

Amend H. bill 935 by inserting the words "jury commissioners" after the words "clerk of the circuit court and" where such words first appear in the bill.

Mr. Evins offered the following substitute for the bill and amendment, to-wit:

To amend section 153 of the Code of Alabama of 1907:

Be it enacted by the Legislature of Alabama:

Sec. 1. That section 153 of the Code of Alabama of 1907 be and the same is hereby amended so as to read as follows:

153 (1423) (908). Preferred claims.—The claims for grand and petit jurors for compensation, as shown by the certificates issued to them; the compensation of the members of the court of county commissioners; as shown by the certificates issued to them; interest on bonds heretofore and hereafter lawfully issued by the county, in the order of their issuance, as evidenced by the interest coupons attached to such bonds or by the bonds themselves; and the accounts for necessary stationery furnished the county are to be preferred, in the order named, in payment of all other claims, except special appropriations for the county jail provided for under section 140 (1411) and 142 (1413), which have priority to all other claims. Claims for the support of the poor are to be next preferred; and thereafter a claim for the use of a building for a courthouse, the county not having a suitable building, is to be preferred; and thereafter the claim of the secretary of the State for certified copies of field notes is to be preferred.

Mr. Bedsole moved to lay said substitute on the table, which motion prevailed and said substitute was laid on the table.

Yeas, 18; nays, 10.

Yeas:

Messrs:

Acker	Caffey	Phillips	Smith (Coosa)
Beale	Carmichael	Prestwood	Smith (Lawrence)
Bedsole	Espy	Rogers (Sumter)	Tally
Briscoe	Griffith	Sims	West
Brown	Kelly		

—18

Nays:

Messrs:

Carlton	Ellis	Huddleston	Morris
Cowan	Evins	Miller	McDowell
Craft	Gunter		

—10

The question then recurred on the amendment offered by the Committee on Judiciary, which was adopted.

Yeas, 23; nays, 1.

Yeas:

Messrs:

Acker	Carlton	Gunter	Rogers (Sumter)
Beale	Carmichael	Kelly	Sims
Bedsole	Cowan	Morris	Smith (Coosa)
Briscoe	Craft	McDowell	Tally
Brown	Espy	Phillips	West
Caffey	Griffith	Prestwood	

Nays:

Mr. Huddleston—1.

Mr. Evins then offered the following amendment to said bill: Amend by inserting the words: "and deputy solicitors" after the words "clerk of the circuit court" and before the words "for any services performed by them for the county" and by inserting the words "and deputy solicitors" after the words "clerk of the circuit court" and before the words: "as shown by the certificate issued to them."

Which was adopted.

Yeas, 24; nays, 0.

Yeas:

Messrs:

Acker	Carmichael	Gunter	Prestwood
Beale	Cowan	Huddleston	Rogers (Sumter)
Bedsole	Craft	Kelly	Sims
Briscoe	Espy	Miller	Smith (Lawrence)
Caffey	Evins	Morris	Tally
Carlton	Griffith	McDowell	West

—24

Nays:—None.

And said bill, as thus amended, was read a third time at length and passed.

Yeas, 22; nays, 2.

Yeas:

Messrs:

Acker	Carmichael	Kelly	Sims
Beale	Cowan	Morris	Smith (Coosa)
Bedsole	Craft	Phillips	Smith (Lawrence)
Briscoe	Griffith	Prestwood	Tally
Caffey	Harper	Rogers (Sumter)	West
Carlton	Huddleston		

—22

Nays:

Messrs:

Evins Gunter

—2

The bill:

H. 961. To confer final jurisdiction of bastardy cases on inferior courts or courts established in lieu of justices of the peace, by whatsoever name called, in counties having a population of 150,000 or more, according to the last or any subsequent Federal census.

Was read a third time at length and passed.

Yeas, 20; nays, 0.

Yeas:

Messrs:

Acker	Carlton	Craft	Gunter
Beale	Carmichael	Evins	Kelly
Briscoe	Cowan	Griffith	Miller

Moore	Prestwood	Rogers (Sumter)	Smith (Coosa)
Morris	Rogers (Lauderdale)	Sims	West

—20

Nays:—None.

The bill:

H. 981. To amend sections 10 and 21 of the act of the Legislature of Alabama, entitled, "An act to provide for the government by a commission of all cities in Alabama which now have, or which may hereafter have, a population of one hundred thousand people, or more, according to the last Federal census, or any such census which may hereafter be taken, when such cities by an election adopt the provisions of this act; to provide for the selection and election of commissioners and their terms of office; to fix their powers, duties and compensation; to punish improper conduct in connection with the election of said commissioners, and to otherwise provide for the creation, conduct and maintenance of said commission form of government, and to repeal all laws and parts of laws in conflict with the provisions of this act," approved September 25, 1915, be amended so as to read as follows.

Was read a third time at length and passed.

Yeas, 20; nays, 0.

Yeas:

Messrs:

Acker	Cowan	Kelly	Rogers (Lauderdale)
Beale	Craft	Miller	Rogers (Sumter)
Briscoe	Evins	Moore	Sims
Carlton	Griffith	Morris	Smith (Coosa)
Carmichael	Gunter	Prestwood	West

—20

Nays:—None.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has non-concurred in the Senate amendment to the bill:

H. 1042. To further provide for and regulate the duties of the courts of county commissioners, or boards of revenue, in the purchase and preparation of food supplies for feeding prisoners under charge, or under conviction, of any indictable offense, confined in the county jails over which they have jurisdiction, and in making provision out of the county treasury for suitable food, clothing, lodging, medicine, and medical attention, for such of the convicts sentenced to jail, with or without hard labor for the county, as are not let to hire, under the provisions of article

5, chapter 191, of the Criminal Code of Alabama, and in the employment of such convicts, sentenced to hard labor for the county, as are ordered to labor on the public works of the county, and to further regulate and make provision for the reception, and safekeeping and feeding of convicts while being conveyed to the penitentiary, and to further regulate the accounting and payment for feeding prisoners in the county jails.

And asks for a Committee of Conference. The Speaker has named as a Committee of Conference on part of the House, Messrs. Sparks, Stoddard and Hale.

Fred H. Gormley,
Clerk.

HOUSE MESSAGE.

On motion of Mr. Acker the Senate accedes to the request of the House for a Committee of Conference on the disagreement of the two houses on the Senate amendments to House bill No. 1042, the title of which is set out in the foregoing message from the House, and the President of the Senate names as conferees on part of the Senate Messrs. Acker, Carmichael and McDowell.

REPORT FROM COMMITTEE ON ENROLLED BILLS.

Mr. President:

Your Standing Committee on Enrolled Bills beg leave to report that said committee, in session, have compared the following enrolled bills, with the engrossed and original bills, respectively, and find same correctly enrolled, to-wit:

S. 664. To amend section one of an act entitled, "An act to designate certain public roads of the State of Alabama as State trunk roads and to provide the manner in which such roads shall be located, improved and maintained," approved September 10th, 1915.

S. 560. To provide for the payment of any fee or reward that is made payable by statute to any person who furnished the evidence that brought about the conviction of a person charged with unlawfully distilling or manufacturing or making prohibited liquors and beverages.

S. 301. To authorize banks to accept drafts or bills of exchange drawn upon them under certain conditions and restrictions.

S. 215. To secure to persons the right of way over lands of other persons.

S. 676. To prescribe the amount of solicitors fees in cases of conviction for carrying concealed a pistol about the person, or on premises not his own or under his control.

S. 742. To amend section 5993, Code 1907, as amended by an act approved November 23, 1907.

S. 286. To authorize any bank or trust company doing a banking business, to receive deposits, and, or pay checks or sight drafts and transact other business, on any legal holiday, excepting Sunday.

S. 545. To confer upon boards of revenue in counties of this State having a population of not less than 82,000 and not more than 100,000 according to the latest Federal census the right to condemn lands or interests therein for the purpose of obtaining gravel or other road building material for the building and maintenance of public roads of the county, and to prescribe the procedure for same.

S. 587. To permit county boards of revenue or county commissioners to appropriate money to control or eradicate diseases of live stock in their respective counties and to provide for the use of such money.

S. 579. To further regulate public service in this State.

S. 750. To fix the compensation of the several State executive officers, officers of departments and boards, subordinate officers, clerks, watchmen and capitol servants.

S. 578. To further define criminal conspiracy in this State.

S. 424. To permit bonds to be given for property seized under the prohibition act, pending appeal to the Supreme Court.

S. 748. To make appropriations for the ordinary expenses for the executive, legislative and judicial departments of the State for the interest on the public debt and for the public schools.

Chas. McDowell, Jr.,
Chairman.

SIGNING OF BILLS.

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been read at length by the Secretary of the Senate, signed the following bills:

S. 664. To amend section one of an act entitlede, "An act to designate certain public roads of the State of Alabama as State trunk roads and to provide the manner in which such roads shall be located, improved and maintained," approved September 10th, 1915.

S. 560. To provide for the payment of any fee or reward that is made payable by statute to any person who furnished the evidence that brought about the conviction of a person charged

with unlawfully distilling or manufacturing or making prohibited liquors and beverages.

S. 301. To authorize banks to accept drafts or bills of exchange drawn upon them under certain conditions and restrictions.

S. 215. To secure to persons the right of way over lands of other persons.

S. 676. To prescribe the amount of solicitors fees in cases of conviction for carrying concealed a pistol about the person, or on premises not his own or under his control.

S. 742. To amend section 5993, Code 1907, as amended by an act approved November 23, 1907.

S. 286. To authorize any bank or trust company doing a banking business, to receive deposits, and, or pay checks or sight drafts and transact other business, on any legal holiday, excepting Sunday.

S. 545. To confer upon boards of revenue in counties of this State having a population of not less than 82,000 and not more than 100,000 according to the latest Federal census the right to condemn lands or interests therein for the purpose of obtaining gravel or other road building material for the building and maintenance of public roads of the county, and to prescribe the procedure for same.

S. 587. To permit county boards of revenue or county commissioners to appropriate money to control or eradicate diseases of live stock in their respective counties and to provide for the use of such money.

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S. 750. To fix the compensation of the several State executive officers, officers of departments and boards, subordinate officers, clerks, watchmen and capitol servants.

S. 578. To further define criminal conspiracy in this State.

S. 424. To permit bonds to be given for property seized under the prohibition act, pending appeal to the Supreme Court.

S. 748. To make appropriations for the ordinary expenses for the executive, legislative and judicial departments of the State for the interest on the public debt and for the public schools.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has adopted the Senate amendment to the bill:

H. 688. To provide for the organization of land owners, of any county, of districts within said county, for the purpose of building, improving and maintaining public roads in such districts, to confer the right of eminent domain to the extent neces-

sary to carry out the purposes of this act, to provide for raising the funds by bond issue or otherwise, to pay the costs of building and maintaining such highways by assessment of the lands in said district in proportion to the benefits received by reason of such improvemnt.

Fred H. Gormley,
Clerk.

The bill:

H. 1046. To amend section 1 of an act entitled, "An act to provide for the election of a solicitor for each judicial circuit in the State; to fix his compensation; authorize the appointment or election of deputy solicitors and assistant solicitors, prescribe their duties and authority, and fix their compensation," approved September 25, 1915.

Was taken up.

Mr. West offered the following amendment to said bill:

Amend House bill 1046:

Amend section 1 so as to read as follows:

Section 1. That at the general election to be held on the first Tuesday after the first Monday in November, 1916, there shall be elected in every judicial circuit in which there is no circuit solicitor residing a solicitor for that circuit who shall hold his office until the first Monday after the second Tuesday in January, 1919, and until his successor is elected and qualified, provided that if in any circuit composed of only one county there is no circuit solicitor residing at the time of the passage of this act, but there is a county solicitor or solicitor of a city court or law and equity court who was elected at the general election in November, 1914, he shall be and become the circuit solicitor of said circuit on and after the first Monday after the second Tuesday in January, 1917, and shall hold office until the first Monday after the second Tuesday in January, 1919. In all circuits composed of only one county and in which there are more than three judges and in which the circuit court is held at the county site and at some other place in the county and the cases arising in a designated portion of the county are tried at a place other than the county site and the cases arising in the remaining portion of the county are tried at the county site there shall also be elected by the qualified electors of that portion of the county wherein the cases arise that are tried at the place of holding the circuit court other than at the county site a deputy solicitor of such circuit who shall at the time of his election and during his term of office reside in the territory from which he is elected and who shall hold office for the same term as the solicitors whose elections are provided for in this section, and who shall in the ab-

sence of the circuit solicitor discharge the same duties and exercise the same authority within the territory from which he is elected as if he were solicitor; and he shall receive a salary of thirty-six hundred dollars per annum, twenty-four hundred dollars of which shall be payable out of the State treasury as the salaries of solicitors are paid, and twelve hundred dollars to be paid out of the county treasury in equal monthly installments as other county officers are paid. And such deputy solicitor shall be under the supervision of the circuit solicitor of such circuit and who may when not engaged in the discharge of their official duties in the territory from which they are elected or appointed perform the duties and exercise the authority of deputy or assistant deputy solicitor in the circuit court held at the county site.

Which was adopted.

Yeas, 21; nays, 0.

Yeas:

Messrs:

Bedsole	Ellis	Harper	Rogers (Lauderdale)
Briscoe	Espy	Miller	Rogers (Sumter)
Brown	Evins	Morris	Smith (Coosa)
Caffey	Griffith	Phillips	Tally
Carlton	Gunter	Prestwood	West
Craft			

—21

Nays:—None.

And the bill, as thus amended, was read a third time at length and passed.

Yeas, 22; nays, 0.

Yeas:

Messrs:

Beale	Cowan	Gunter	Phillips
Bedsole	Craft	Harper	Rogers (Sumter)
Briscoe	Ellis	Kelly	Sims
Brown	Espy	Miller	Smith (Coosa)
Caffey	Evins	Morris	West
Carlton	Griffith		

—22

Nays:—None.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has concurred in and adopted the amendment proposed by the governor to the bill:

H. 619. To create and establish a board of revenue in and for Morgan county, Alabama, in the place and stead of the com-

missioners' court now existing in said county, and abolishing said commissioners' court; to divide said county of Morgan into four districts, defining the boundaries thereof; providing that the present county commissioners shall be the members of said board of revenue for their unexpired term; fixing the term of office and providing for the election of subsequent members thereof; defining the jurisdiction of said board of revenue; fixing their compensation; conferring upon said board of revenue and the individual members thereof all the jurisdictions, powers, and authority granted by law to county commissioners and to commissioners' courts and boards of revenue in this State; authorizing the appointment by said board of revenue of a county auditor and a superintendent of public roads; providing for the holding of monthly meetings of said board of revenue beginning on the second Monday in each month; providing for the repeal of all laws in conflict with this act, and fixing the time when this act shall become operative.

By a majority of the whole number elected to the House. Yeas, 60; nays, 0. Said governor's message, carrying the amendment, being as follows:

Sept. 24, 1919.

Gentlemen of the House of Representatives:

I herewith return House bill No. 619 without my approval, and suggest the following amendment which if adopted will meet my objection to the bill, namely: Amend article 3 where the same reads "said board of revenue may levy a privilege wheel or vehicle tax on all vehicles using the public roads of the county and provide the time and method of the payment of same," so that immediately following said words in article 3 there shall be added the following:

"Provided that if the general revenue act, or any general act, enacted or to be enacted by this Legislature shall include provisions fixing and regulating the general license or privilege taxes on vehicles of any kind however propelled or driven for the use of the State and the counties of the State, and providing that the proceeds of such privilege or license taxes shall be apportioned between the State and the counties of the State, such provisions and such apportionment of such license or privilege taxes under any such general law shall take precedence of and shall be in lieu of the privilege or license taxes authorized to be levied and collected under this act to the extent covered by such general act, and provided further that all provisions of this act fixing or levying any privilege or license taxes in conflict or inconsistent with the provisions of any such general law shall be void and of no operation and effect."

Respectfully,
Thos. E. Kilby,
Governor.

And sends the bill, together with the governor's message to the Senate for its consideration.

Fred H. Gormley,
Clerk.

HOUSE AND GOVERNOR'S MESSAGE.

On motion of Mr. Smith of Lawrence the Senate concurred in and adopted the amendment proposed by his excellency, the governor to House bill 619, the title of which is set out in the foregoing message from the House, and said amendment being set out in the foregoing message from the governor.

Yeas, 21; nays, 0.

Yeas:

Messrs:

Beale	Craft	Huddleston	Rogers (Sumter)
Bedsole	Ellis	Kelly	Sims
Briscoe	Espy	Miller	Smith (Lawrence)
Brown	Gunter	Morris	Tally
Caffey	Harper	Phillips	West
Cowan			

—21

Nays:—None.

Being a majority of the whole number elected to the Senate.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has concurred in and adopted the amendment proposed by the governor to the bill:

H. 524. For the relief of Honor McNicholas, John Muldowney, Mary Muldowney Walsh, Martin J. Muldowney, Andrew George Muldowney, and Nora Muldowney O'Hara.

By a majority of the whole number elected to the House.

Yeas, 60; nays, 0.

Said governor's message carrying the amendment being as follows:

Gentlemen to the House of Representatives:

I return herewith without my approval House bill 524 for the relief of Honor McNicholas and others. The bill seeks to pay over to the heirs at law of George Delaney, who died intestate in Hale county, an amount of money which, under section 258 of the Constitution, has heretofore accrued to and been paid into the general education fund of the State as an escheat. It is manifestly fair and proper that the amount now sought to be appropriated for the heirs, who have been found, since the escheated funds were paid over to the State, should come out of the fund into which it went, and not out of the general State fund, as the bill now provides. I suggest the following amendment, which, if adopted, will remove my objections to the bill:

Amend section one of the bill by striking out the words "The moneys or funds in the treasury of the State of Alabama not otherwise appropriated" and inserting in lieu thereof, the words "The general education

fund of the State of Alabama for the fiscal year beginning October 1st, 1919."

Respectfully,
Thos. E. Kilby,
Governor.

And sends the bill, together with the governor's message to the Senate for its consideration.

Fred H. Gormley,
Clerk.

HOUSE AND GOVERNOR'S MESSAGE.

On motion of Mr. Bedsole, the Senate concurred in and adopted the amendment proposed by his excellency, the governor to the bill, House bill 524, the title of which is set out in the foregoing message from the House, and said amendment being set out in the foregoing message from his excellency, the governor.

Yeas, 21; nays, 0.

Yeas:

Messrs:

Beale	Cowan	Gunter	Rogers (Sumter)
Bedsole	Craft	Harper	Sims
Briscoe	Ellis	Kelly	Smith (Coosa)
Brown	Espy	Miller	Tally
Caffey	Evins	Morris	West
Carlton			

—21

Nays:—None.

Being a majority of the whole number elected to the Senate.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has concurred in and adopted the amendment proposed by the governor to the H. 323:

H. 323. To provide for the establishment, discontinuance, construction, use, working and maintenance of the public roads and bridges of Lamar county, Alabama. To define the duties and powers of the court of county commissioners of Lamar county with regard to same, and to fix penalties for violation of the rules and regulations of the public road law of Lamar county and the State of Alabama.

By a majority vote of the whole number elected to the House. Yeas, 60; nays, 0.

Said governor's message carrying the amendment being as follows:

H. B. 323.

September 26, 1919.

Gentlemen of the House of Representatives:

I herewith return House bill No. 323 without by approval, and suggest the following amendment which if adopted will meet my objection to the bill, namely, amend section 13 by adding at the end thereof the following proviso, namely:

"Provided that if the general revenue act, or any general act, enacted or to be enacted by this Legislature shall include provisions fixing and regulating the general license or privilege taxes on vehicles of any kind however propelled or driven for the use of the State and the counties of the State, and providing that the proceeds of such privilege or license taxes shall be apportioned between the State and the counties of the State, such provisions and such apportionment of such license or privilege taxes under any such general law shall take precedence of and shall be in lieu of the privilege or license taxes authorized to be levied and collected under this act to the extent covered by such general act, and provided further that all provisions of this act fixing or levying any privilege or license taxes in conflict or inconsistent with the provisions of any general law shall be void and of no operation and effect."

Respectfully,
(Signed) Thos. E. Kilby,
Governor.

And sends the bill together with the governor's message to the Senate for consideration.

Fred H. Gormley,
Clerk.

HOUSE AND GOVERNOR'S MESSAGE.

On motion of Mr. Beale, the Senate concurred in and adopted the amendment proposed by his excellency, the governor, to House bill 323, the title of which is set out in the foregoing message from the House, and said governor's amendment being set out in the foregoing message from the governor.

Yeas, 20; nays, 0.

Yeas:

Messrs:

Beale	Carlton	Gunter	Phillips
Bedsole	Cowan	Harper	Rogers (Sumter)
Briscoe	Craft	Huddleston	Sims
Brown	Espy	Kelly	Tally
Caffey	Evins	Morris	West

—20

Nays:—None.

THIRD READINGS RESUMED.

The bill:

H. 757. To amend section 3503 of the Code of Alabama of 1907.

Was read a third time at length and passed.

Yeas, 20; nays, 0.

Yeas:

Messrs:

Beale	Carlton	Harper	Phillips
Bedsole	Craft	Huddleston	Sims
Briscoe	Espy	Kelly	Smith (Coosa)
Brown	Evins	Miller	Tally
Caffey	Gunter	Morris	West

—20

Nays:—None.

The bill:

H. 862. To better secure compliance with the laws of Alabama, requiring instruction of all pupils in public schools, and in all schools and colleges supported in whole or in part by public money, or under State control, with reference to the effect of alcoholic drinks, stimulants and narcotics upon the human system.

Was read a third time at length and passed.

Yeas, 20; nays, 0.

Yeas:

Messrs:

Beale	Carlton	Gunter	Phillips
Bedsole	Cowan	Harper	Rogers (Sumter)
Briscoe	Craft	Huddleston	Sims
Brown	Ellis	Miller	Smith (Lawrence)
Caffey	Evins	Morris	West

—20

Nays:—None.

The bill:

H. 475. To authorize the personal representative, by appointment of a court having jurisdiction in any other state than the State of Alabama, to receive and collect indebtedness owing to deceased by a person who is a resident of Alabama, and to execute receipt and discharge therefor.

Was read a third time at length and passed.

Yeas, 20; nays, 0.

Yeas:

Messrs:

Beale	Carlton	Griffith	Phillips
Bedsole	Carmichael	Harper	Rogers (Sumter)
Briscoe	Cowan	Huddleston	Sims
Brown	Craft	Kelly	Tally
Caffey	Espy	Morris	West

—20

Nays:—None.

The bill:

H. 492. To make an appropriation out of the State treasury to pay premiums on Alabama raised steers and to provide how and by what means said amount shall be paid.

Was read a third time at length and passed.

Yeas, 16; nays, 7.

Yeas:

Messrs:

Beale	Carmichael	Evins	Phillips
Briscoe	Cowan	Gunter	Rogers (Sumter)
Caffey	Craft	Harper	Sims
Carlton	Espy	Miller	Smith (Lawrence)

—16

Nays:

Messrs:

Bedsole	Kelly	Prestwood	Tally
Huddleston	Morris	Smith (Coosa)	

—7

The bill:

H. 775. To repeal an act entitled, "An act to provide for the payment of witnesses before the grand juries and State witnesses in all criminal cases, and of the sheriff of the county of Crenshaw and clerks of the circuit court and county court in and for said county in criminal cases, where the State fails to convict, out of the general funds of Crenshaw county. Local Acts 1915, page 361, approved September 10th, 1915."

Was read a third time at length and passed.

Yeas, 20; nays, 0.

Yeas:

Messrs:

Acker	Carmichael	Huddleston	Phillips
Beale	Cowan	Kelly	Prestwood
Briscoe	Craft	Miller	Rogers (Lauderdale)
Caffey	Evins	Morris	Smith (Lawrence)
Carlton	Griffith	McDowell	West

—20

Nays:—None.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has concurred in and adopted the amendment proposed by the governor to the bill:

H. 995. To provide for the construction, care, maintenance, and improvement of the public roads of Franklin county, to provide funds, regulations, penalties, and officers to insure such construction, care, maintenance, and improvement; to provide a county superintendent of roads, prescribe his qualifications,

method of selection, term of office, salary, duties, powers; to prescribe in general the records to be kept by said superintendent; to provide that the court of county revenue shall have full powers over the road system; to provide beat supervisors, sections overseers, and other persons to carry out said work on the road system of the county; to prescribe the duties of individuals and corporations in regard to the enforcement of said road law.

By a majority of the whole number elected to the House. Yeas, 60; nays, 0.

Said governor's message carrying the amendment being as follows:

September 24, 1919.

Gentlemen of the House of Representatives:

I herewith return House bill No. 995 without my approval, and suggest the following amendment which if adopted will meet my objection to the bill, namely: amend section 3 by adding at the end thereof the following proviso, namely:

"Provided that if the general revenue act, or any general act, enacted or to be enacted by this Legislature shall include provisions fixing and regulating the general license or privilege taxes on vehicles of any kind however propelled or driven for the use of the State and the counties of the State, and providing that the proceeds of such privilege or license taxes shall be apportioned between the State and the counties of the State, such provisions and such apportionment of such license or privilege taxes under any such general law shall take precedence of and shall be in lieu of the privilege or license taxes authorized to be levied and collected under this act to the extent covered by such general act, and provided further that all provisions of this act fixing or levying any privilege or license taxes in conflict or inconsistent with the provisions of any such general law shall be void and of no operation and effect."

Respectfully,
Thos. E. Kilby,
Governor.

And sends the bill, together with the governor's message, to the Senate for its consideration.

Fred H. Gormley,
Clerk.

HOUSE AND GOVERNOR'S AMENDMENT.

On motion of Mr. Carmichael the Senate concurred in and adopted the amendment proposed by his excellency, the governor, to House bill No. 995, the title of which is set out in the foregoing message from the House and said proposed amendment being also set out in the foregoing message from the House.

Yeas, 20; nays, 0.

Yeas:

Messrs:

Beale

Bedsole

Briscoe

Brown

Caffey

Carlton

Carmichael

Cowan

Craft
Espy
Griffith

Harper
Kelly
Morris

Phillips
Rogers (Lauderdale)
Rogers (Sumter)

Sims
Smith (Lawrence)
West

—20

Nays:—None.

Which was a majority of the whole number elected to the Senate.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill:

S. 611. Regulating the sale and exchange of gasoline, benzine, naphtha and other liquid motor fuels, and providing for the tagging and inspection of such product and creating within the State highway department the department of liquid fuel inspection and providing penalties for the violation of this act.

And returns said bill to the Senate.

Fred H. Gormley,
Clerk.

HOUSE MESSAGE.

On motion of Mr. Rogers of Sumter, the Senate concurred in the following amendment by the House to Senate bill No. 611, the title of which is set out in the foregoing message from the House, to-wit:

A BILL

To be entitled an act regulating the sale and exchange of gasoline, benzine, naphtha, and other liquid motor fuels, and providing for the tagging and inspection of such products.

Be it enacted by the Legislature of Alabama:

Section 1. That any person, firm, association, or corporation selling or offering for sale or exchange in this State, any gasoline, benzine, naphtha, or other liquid motor fuel must have tags, as hereinafter provided, attached to each tank car, tank barrel, can, or other container in which said "gasoline," "benzine," naphtha" or other liquid motor fuel is contained or marketed.

Said tags shall have printed thereon the words "Guaranteed Legal Standard," and must have printed thereon also a fac simile signature of the State auditor and of the chemist of the State highway department.

Provided, further, that the tagging of the original tank cars, tanks, or large containers in which said "gasoline," "benzine,"

"naphtha," or other liquid motor fuel is contained shall be held to obviate the tagging with such tags of the smaller containers into which said product may be transferred, but all such smaller containers, including casks, barrels, cans or packages containing such product shall be labelled with numbers denoting the gravity or density of their contents, and the words "gasoline," "benzine," "naphtha," or other designation to denote the character of the contents of such containers or packages, such numbers and words being printed in red figures or letters at least one and a half inches in height.

Section 2. Before offering "gasoline," "benzine," "naphtha," or other liquid motor fuel for sale or exchange, the person, firm, association, or corporation proposing to sell or exchange such products must submit to the chemist of the State highway department written or printed statement setting forth:

(1) The name and brand under which said "gasoline," "benzine," "naphtha," or other liquid motor fuel is to be sold, and in case said product is to be marketed in tanks, barrels, cans, or other containers the number of gallons capacity of the containers in which it is to be put upon the market, and the name or names of the manufacturers or dealers.

In case the liquid motor fuel offered for sale consists of a mixture of a petroleum product and some other liquid motor fuel the amount and character of the components of such mixture must be stated, and placards containing this information, printed in large type, must be posted at the place of sale.

(2) A statement as to the distillation standard guaranteed for the said gasoline, benzine, naphtha, or other liquid motor fuel offered for sale or exchange. Such statement may simply set forth that the product complies with the legal distillation standard as hereinafter prescribed or in case a higher distillation standard is claimed, a statement to that effect may be made, giving the distillation tests guaranteed. Statements of the same tenor or purport, printed in large characters, must also be posted at the place of sale, and such statements shall be held to constitute a guarantee, to the purchaser of such product, of the quality of same.

Section 3. The chemist of the State highway department is the official chemist to test samples, gasoline, benzine, naphtha, or other liquid motor fuels proposed to be sold in the State. Whenever any sample of such product is to be submitted to said chemist, whether the same be submitted on the application of any person, firm, association or corporation, or procured directly from the manufacturer, consumer or dealer by the State highway commission, and it is the duty of said commission, from

time to time, to secure samples of such products being offered for sale in different parts of this State, it shall be the duty of said chemist to test the same for density, and also by fractional distillation, and he may also test same as to chemical composition and quality, and to make a certificate of such test, copy of which certificate shall be furnished by the said chemist to the person, manufacturer, or dealer from whom such oil was obtained.

No gasoline, benzine, naphtha, or other liquid motor fuel shall be sold or offered for sale which on distillation fails to yield a distillate of 18 per cent by volume at 230 degrees Fahrenheit, 65 per cent by volume at 302 degrees Fahrenheit, the dry or end point of distillation to be not higher than 437 degrees Fahrenheit.

The initial boiling point of gasoline, benzine or naphtha shall be not higher than 149 degrees Fahrenheit.

Section 4. The copy of the official test of any gasoline, benzine, naphtha or other liquid motor fuel, under the seal of said State highway commission, shall be admissible as evidence of the facts therein stated in any of the courts of this State on the trial of any issue involving the merits of said product.

Section 5. The State highway commission may employ such additional assistance for the said chemist in making tests of gasoline, benzine, naphtha, or other liquid motor fuels, or in procuring samples of such products to be tested, as may be necessary, and may pay therefor out of the moneys received by said commission from the sale of tags.

Section 6. The State highway commission, through its accredited agent, must, at such times as may be necessary, make written requisition upon the State auditor for the estimated number of tags required to supply the demand.

Section 7. Upon receipt of such requisition, the State auditor must have printed the required number of tags of suitable material for attaching to the tanks, barrels, cans, packages, or parcels of gasoline, benzine naphtha, or other liquid fuels offered for sale or exchange.

The State auditor must, as soon as practicable, deliver such tags to the State highway commission, or to its accredited agent at the capitol taking receipt of said commission therefor; and the State auditor shall keep a true and correct account with said commission, charging commission with all tags furnished at the price of one-half cent for each gallon written or printed thereon.

Section 8. The State highway commission must keep on hand for sale tags, printed as herein above provided, of such denomination of gallons as will be convenient for use of persons offering

for sale or exchange gasoline, benzine, naphtha, or other liquid motor fuels, and shall charge for such tags the price of one-half cent for each gallon designated on said tag.

Section 9. The State highway commission must report to the State auditor at the end of each month the number of tags sold during the month, and pay into the State treasury the total amount of moneys received from such sales.

The expense incurred under the provisions of this act, not exceeding ten per cent of the total receipts shall be payable from the funds accruing from this act to the State highway department upon presentation of properly vouchered statements of such expenses.

Section 10. Any person, firm, association or corporation, who sells, offers for sale or exchange any gasoline, benzine, naphtha or other liquid motor fuel which has not been tagged or labelled in the manner hereinbefore provided, or who makes any false certificate as to the purchase or sale of said product, or who counterfeits tags prepared as provided in section 1 of this act, or who uses such tags a second time as genuine, or who sells or offers for sale gasoline, benzine, naphtha or other liquid motor fuel, in violation of the provisions of this act, shall be guilty of misdemeanor, upon conviction, shall be fined not less than fifty nor more than five hundred dollars for each separate offense.

Section 11. All laws or parts of laws in conflict with the provisions of this act are hereby repealed.

Yeas, 21; nays, 1.

Yeas:

Messrs:

Acker	Carmichael	Harper	Rogers (Sumter)
Beale	Cowan	Huddleston	Sims
Bedsole	Craft	Kelly	Smith (Coosa)
Briscoe	Espy	Miller	Smith (Lawrence)
Brown	Evins	Morris	Tally
Caffey			

—21

Nays:

Mr. West—1.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has concurred in and adopted the following resolution:

By Mr. Craft:

S. J. R. 162. Relative to thanks being tendered the Mobile Register and Birmingham Age-Herald for delivering their papers to the Senate and the House.

And returns same herewith to the House.

Fred H. Gormley,
Clerk.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has concurred in and adopted:

S. J. R. 156. Relative to the payment of salary to W. T. Edmondson, Jr., as clerk of the Committees on Immigration and Industrial Resources, Public Buildings and Grounds, Privileges and Elections, Printing and Military, from January 15th to and including February 1st, 1919.

And returns same herewith to the Senate.

Fred H. Gormley,
Clerk.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has concurred in and adopted the following joint resolution:

S. J. R. 159. Relative to printed copies of the Acts of the Legislature of 1919 being sent to each senator, the Lieutenant Governor, Secretary and Assistant Secretary of the Senate, Clerk and Assistant Clerk of the House of Representatives.

And returns same herewith to the Senate.

Fred H. Gormley,
Clerk.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has concurred in the Senate amendment to the bill:

H. 1046. To amend section 1 of an act entitled, "An act to provide for the election of a solicitor for each judicial circuit in the State; to fix his compensation; authorize the appointment or election of deputy solicitors and assistant solicitors, prescribe their duties and authority, and fix their compensation," approved September 25, 1915.

Fred H. Gormley,
Clerk.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has concurred in the Senate amendment to the bill:

H. 935. To amend section 153 of the Code of Alabama.
And returns the same to the Senate herewith.

Fred H. Gormley,
Clerk.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has concurred in and adopted the following Senate joint resolution:

S. J. R. 157. Relative to the Secretary of the Senate, Assistant Secretary of Senate, Chief Clerk to Secretary of Senate, and four clerks, also Clerk of the House, Assistant Clerk of the House, Reading Clerk of the House and five clerks be allowed thirty days after the final adjournment of the Legislature in which to check and compare Journals and Registers of both houses, and that the above named be allowed the same per diem as they are now allowed by law for such work.

And sends same herewith to the Senate.

Fred H. Gormley,
Clerk.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has concurred in the Senate amendment to the bill:

H. 335. To amend section 813 of the Code of Alabama, as amended, by section 3 of an act to amend sections 811, 812, 813, 814, 815, 818 and 819 of the Code of Alabama, approved September 28, 1915.

And sends same to the Senate.

Fred H. Gormley,
Clerk.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has concurred in and adopted the report of the Committee of Conference on the disagreement of the two houses on the bill:

H. 762. To fix the salary of the judge of the county court in all counties having a population of not less than twenty-three thousand one hundred and fifty (23,150) and not more than twenty-three thousand two hundred and fifty (23,250) according to the Federal census of 1910, or any subsequent Federal census, and provide for the payment of the same.

By a majority of the whole number elected to the House. Yeas, 65; nays, 0. Said conference report being in words and figures as follows:

To the President of the Senate
and to

The Speaker of the House of Representatives:

Your Conference Committee on the disagreement of the two houses on House bill No. 762 beg leave to make the following report:

We recommend that the Senate recede from its amendment which fixes the salary of the judge of the county court of Chilton county at twelve hundred (\$1,200.00) dollars per annum and that in lieu thereof both houses adopt the following amendment:

Amend House bill No. 762 by striking out the words, "Twelve hundred dollars" where they occur in said bill and inserting in lieu thereof the words "nine hundred dollars."

Conferees on part of the Senate,
J. C. Harper,
Jno. Miller,
M. H. Sims.

Conferees on the part of the House,
W. A. Reynolds,
W. H. Shaw,
A. P. Longshore.

And sends said bill, together with the report of the Conference Committee, to the Senate for its consideration.

Fred H. Gormley,
Clerk.

HOUSE MESSAGE.

On motion of Mr. Harper, the Senate concurred in and adopted the report of the Committee of Conference on the disagreement of the two houses on the Senate amendment to the bill: House bill 762, the title of which is set out in the foregoing message from the House, and said conference report being also set out in the foregoing message from the House.

Yeas, 21; nays, 0.

Yeas:

Messrs:

Acker

Beale

Briscoe

Carlton

Carmichael

Craft

Evins

Griffith

Huddleston

Kelly

Miller

Morris

Phillips

Prestwood

Rogers (Lauderdale)

Rogers (Sumter)

Sims

Smith (Coosa)

Smith (Lawrence)

Tally

West

—21

Nays:—None.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has concurred in the Senate amendments to the bills:

H. 767. To establish and create the Alabama horticultural society for the promotion and development of fruit-growing within the State of Alabama and to define the powers and duties.

H. 727. To make an appropriation for certain fencing required for the Confederate soldiers' home at or near Mountain Creek.

Fred H. Gormley,
Clerk.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has concurred in and adopted the amendment proposed by the governor to the bill:

H. 1125. To amend subdivision 84 of section 361 of an act to provide for the general revenue of the State of Alabama, approved September 10th, 1919.

By a majority of the whole number elected to the House. Yeas, 64; nays, 1.

Said governor's message carrying amendment being as follows:

H. B. 1125.

September 27, 1919.

Gentlemen of the House of Representatives:

I herewith return House bill 1125 to amend the general revenue act, without my approval.

I am advised that section B of the act is an act to raise revenue, and having been passed within the last five days of the session would be violative of section 70 of the Constitution. I therefore suggest an amendment striking out said section B.

The title of the act, as well as the body of the act, contains an incorrect recital as to the date when the general revenue act was approved, namely: September 10, 1919; whereas the records show that said general revenue act was approved on September 15, 1919. I suggest an amendment, therefore, striking out the words and figures "10th" where they occur in the title and in the body of the act and substituting therefor the words and figures "15th."

I suggest the further amendment by striking from the proviso of section C-2 the word "five" and substituting therefor the words "two and one-half."

I shall approve the bill if so amended.

Respectfully,
Thos. E. Kilby,
Governor.

And sends the bill, together with the governor's message to the Senate for their consideration.

Fred H. Gormley,
Clerk.

HOUSE AND GOVERNOR'S MESSAGE.

On motion of Mr. Rogers of Sumter, the Senate concurred in and adopted the amendment proposed by the governor to House bill 1125, the title of which is set out in the foregoing message from the House, and said amendment being set out in the foregoing message from the governor.

Yeas, 22; nays, 0.

Yeas:

Messrs:

Acker	Cowan	Huddleston	Rogers (Lauderdale)
Beale	Craft	Kelly	Rogers (Sumter)
Bedsole	Espy	Miller	Smith (Coosa)
Caffey	Evins	Morris	Tally
Carlton	Gunter	Phillips	West
Carmichael	Harper		

—22

Nays:—None.

Being a majority of the whole number elected to the Senate.

MESSAGE FROM THE GOVERNOR.

S. B. 218.

September 27, 1919.

Gentlemen of the Senate:

I herewith return Senate bill No. 218 without my approval, and suggest the following amendment which if made will meet my objection, namely:

Amend subdivision B by adding at the end thereof the following words, "subject to the approval of the governor" so that the concluding paragraph of said subdivision B shall read as follows "and all monies derived from the sale of said bonds shall be expended as the highway department may direct subject to the approval of the governor."

You will appreciate the importance of the proposed amendment in recalling the fact that under the act the proceeds of the sale of \$25,000,000 of bonds may be expended by the State highway department, and it is obviously wise to subject this expenditure to the approval of a constitutional officer of the State.

Respectfully,
Thos. E. Kilby,
Governor.

GOVERNOR'S MESSAGE.

On motion of Mr. Rogers of Sumter, the Senate concurred in the amendment proposed by the Governor to the bill:

S. 218. To submit to the qualified electors of this State at a special election to be held at the call of the governor after ninety

days from the final adjournment of this Legislature for their consideration of an amendment to the Constitution for the purpose of authorizing the State to establish and maintain a State highway system of public roads and bridges, to issue interest bearing bonds therefor, to authorize the levy and collection of automobile or other motor driven vehicles taxes by the State for said purposes and to provide for the establishment and maintenance of said State highway system, public roads and bridges according to such regulations as the Legislature may have prescribed or may hereafter prescribe.

Said amendment being set out in the foregoing message from the governor.

Yeas, 27; nays, 0.

Yeas:

Messrs:

Acker	Cowan	Kelly	Rogers (Sumter)
Beale	Craft	Miller	Sims
Bedsole	Ellis	Morris	Smith (Coosa)
Briscoe	Espy	McDowell	Smith (Lawrence)
Caffey	Evins	Phillips	Tally
Carlton	Gunter	Prestwood	West
Carmichael	Harper	Rogers (Lauderdale)	

—27

Nays:—None.

Being a majority of the whole number elected to the Senate.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has amended as therein shown, and as amended has passed the following Senate bill:

S. 549. To regulate costs, charges and fees in trials before the county courts and to provide for the collection thereof; to fix the salaries of judges of the county courts and to provide for their payment; to provide for clerks of the county court and to regulate their compensation.

And returns said bill to the Senate.

Fred H. Gormley,
Clerk.

HOUSE MESSAGE.

On motion of Mr. Rogers of Sumter, the Senate concurred in the following amendment by the House to Senate bill 549, the title of which is set out in the foregoing message from the House, to-wit:

Amend Senate bill 549 as follows:

Amend the caption of said bill by striking out the words "to fix the salaries of the judges of the county courts and to provide for their payment."

Further amend said bill by striking out section 2 thereof and adding in lieu thereof section 2 to read as follows:

"2. This act shall not repeal an act entitled, "An act to require all the fees collected by sections 6655 and 6656 of the Code, in the county court to be paid into the county treasury; to provide a fund out of which the salaries of the judges of the county court shall be paid, and to fix the amount of such salaries," approved September 18, 1915; and shall not repeal any act, local, general or special, passed by the Legislature of 1919 to fix the salary of the judge of the county court. All other laws or parts of laws in conflict herewith are hereby expressly repealed."

Further amend said bill by striking out section 3.

Yeas, 19; nays, 0.

Yeas:

Messrs:

Acker	Cowan	Huddleston	Smith (Coosa)
Beale	Craft	Kelly	Smith (Lawrence)
Briscoe	Espy	Morris	Tally
Caffey	Gunter	Rogers (Sumter)	West
Carlton	Harper	Sims	

—19

Nays:—None.

BILLS ON THIRD READING.

The bill:

H. 378. To further suppress the evils of intemperance; to prohibit the manufacture, sale, giving away or having in possession any still, apparatus, appliance or any device or substitute therefor to be used in the manufacture of prohibited liquors and beverages.

Was read a third time at length and passed.

Yeas, 19; nays, 0.

Yeas:

Messrs:

Beale	Carmichael	Harper	Rogers (Sumter)
Bedsole	Cowan	Kelly	Sims
Briscoe	Craft	Morris	Smith (Coosa)
Brown	Espy	Phillips	Tally
Caffey	Gunter	Prestwood	

—19

Nays:—None.

The bill:

H. 987. To declare a lien in favor of landlords upon livestock raised or grazed upon rented land.

Was read a third time at length and passed.

Yeas, 20; nays, 1.

Yeas:

Messrs:

Acker	Caffey	Harper	Rogers (Sumter)
Beale	Carlton	Miller	Sims
Bedsole	Carmichael	Morris	Smith (Coosa)
Briscoe	Craft	Phillips	Tally
Brown	Gunter	Prestwood	West

—20

Nays:

Mr. Huddleston—1.

The bill:

H. 850. For the relief of J. N. Varner, of Conecuh county, Alabama, appropriating to him one hundred forty dollars (\$140.00) out of any funds in the State treasury not otherwise appropriated on account of his name being wrongfully stricken from the pension roll as a Confederate veteran.

Was read a third time at length and passed.

Yeas, 19; nays, 0.

Yeas:

Messrs:

Beale	Carlton	Harper	Smith (Coosa)
Bedsole	Cowan	Phillips	Smith (Lawrence)
Briscoe	Craft	Prestwood	Tally
Brown	Espy	Rogers (Sumter)	West
Caffey	Gunter	Sims	

—19

Nays:—None.

The bill:

H. 835. To authorize the commissioners or other governing authorities in all cities of the State of Alabama which have a population of as many as twenty-five thousand and less than fifty thousand people, according to the last Federal census, or which shall hereafter have such population according to any Federal census that may be taken hereafter, to make contributions or expenditures to civic or commercial organizations located in such cities where such expenditure or contribution is for the purpose of advancing the best interests of such cities.

Was read a third time at length and passed.

Yeas, 20; nays, 0.

Yeas:

Messrs:

Beale	Craft	Miller	Sims
Brown	Espy	Morris	Smith (Coosa)
Caffey	Gunter	Phillips	Smith (Lawrence)
Carlton	Harper	Prestwood	Tally
Cowan	Kelly	Rogers (Sumter)	West

—20

Nays:—None.

The bill:

H. 1038. To repeal an act entitled, "An act to authorize and empower the Decatur Land Company, a corporation, to list certain of its lands to tax assessor of Morgan county in acreage." Approved December 13, 1900.

Was read a third time at length and passed.

Yeas, 20; nays, 0.

Yeas:

Messrs:

Acker	Caffey	Gunter	Rogers (Sumter)
Beale	Carlton	Harper	Sims
Bedsole	Cowan	Kelly	Smith (Lawrence)
Briscoe	Craft	Morris	Tally
Brown	Evins	Phillips	West

—20

Nays:—None.

The bill:

H. 520. To amend sections 5443, 5444, and 5446 of the Code of Alabama, concerning quieting titles to land, and to make further provisions on that subject, including removing of clouds in such cases.

Was indefinitely postponed on motion of Mr. Prestwood.

The bill:

H. 726. To create and establish the Alabama patriotic society, to define its scope and purposes, to provide for the appointment by the governor of its officers, to prescribe the manner in which their successors shall be chosen, and to define their functions.

Was read a third time at length and passed.

Yeas, 20; nays, 0.

Yeas:

Messrs:

Acker	Carlton	Harper	Rogers (Sumter)
Beale	Carmichael	Kelly	Sims
Bedsole	Craft	Morris	Smith (Coosa)
Briscoe	Evins	Phillips	Tally
Caffey	Gunter	Prestwood	West

—20

Nays:—None.

The bill:

H. 418. To authorize the boards of revenue or county commissioners of the separate counties of the State of Alabama to indemnify owners of cattle for injuries, damages or deaths caused by dipping such cattle in compliance with the laws of the State and with the rules and regulations of the State live stock sanitary board.

Was taken up.

The Committee on Agriculture offered the following amendment to said bill:

Amend title H. 418 by inserting after the word "Alabama" the word "in their discretion."

Amend section 1 of the bill by adding after the word "authorized" the words: "in their discretion."

Amend section 1 by adding at the end thereof the words: "or by any negligence on the part of any officer or employee of the State or the State live stock sanitary board and where the negligence of the owner or person in charge of such cattle has not contributed to the injury, damage or death."

Which was adopted.

Yeas, 20; nays, 0.

Yeas:

Messrs:

Acker	Carmichael	Huddleston	Prestwood
Beale	Craft	Kelly	Rogers (Sumter)
Bedsole	Evins	Miller	Sims
Brown	Gunter	Morris	Smith (Coosa)
Carlton	Harper	Phillips	Tally

—20

Nays:—None.

And said bill, as thus amended, was read a third time at length and passed.

Yeas, 20; nays, 0.

Yeas:

Messrs:

Acker	Caffey	Harper	Prestwood
Beale	Carlton	Huddleston	Rogers (Sumter)
Bedsole	Carmichael	Kelly	Sims
Briscoe	Craft	Morris	Smith (Coosa)
Brown	Evins	Phillips	Tally

—20

Nays:—None.

The bill:

H. 281. For the further protection of human beings and live stock of all kinds. To impose a license on dogs over the age of three months and to provide further that dogs running at large, except fox hounds and deer hounds wearing collars upon which the owners' names and addresses are printed, shall wear muzzles; to require the registration of all dogs by the probate judge in their respective counties; to provide for the necessary supplies to carry this act into effect and to provide for compensating the probate judge for his services as required herein; to provide that the funds derived from the license on dogs herein imposed by

this act shall be paid to the county treasurer and kept separate and apart, and shall be known as the dog tax fund which fund shall be used in defraying the traveling expenses to and from the State Pasteur Institute of persons who have been bitten by mad dogs and who are unable to defray their own expenses, also their expenses while under treatment at this Institute; likewise the funds created by this act shall be used in remunerating persons who sustain loss from dogs crippling or killing their live stock, and poultry, and to provide that at the end of each fiscal year the balance remaining in the dog tax fund shall be paid by the county treasurer to the county board of education for distribution among the public schools of the county, in which the license is collected, and apportioned to the different school districts in proportion to the amount of licenses collected in such district.

Was taken up, and Mr. Rogers of Sumter offered the following amendments to said bill, to-wit:

Amend section 5 by striking out all the words in line four after the word "year."

Amend further by striking out all of section (7).

Amend further by striking out all of the words in section 9 after the word tag in line four of said section.

Add to the end of the bill: "provided the provision of this bill shall not repeal or invalidate the 'Local Dog Law' for Dallas county or affect the provision thereof."

Amend H. 281 by striking from the caption wherever they occur "the probate judge" and inserting in lieu thereof the words "circuit clerk."

Amend by striking from the bill wherever they occur the words "probate judge" and insert in lieu thereof the words "circuit clerk."

Which was adopted.

Yeas, 20; nays, 0.

Yeas:

Messrs:

Acker	Carlton	Gunter	Sims
Beale	Cowan	Huddleston	Smith (Coosa)
Bedsole	Craft	Morris	Smith (Lawrence)
Briscoe	Espy	Prestwood	Tally
Caffey	Evins	Rogers (Sumter)	West

—20.

Nays:—None.

And said bill, as thus amended, was read a third time at length and passed.

Yeas, 11; nays, 11.

Yeas:

Messrs:

Cowan	Kelly	Phillips	Sims
Espy	Miller	Prestwood	Smith (Lawrence)
Gunter	Morris	Rogers (Sumter)	

—11

Nays:

Messrs:

Bedsole	Carlton	Harper	Tally
Briscoe	Craft	Huddleston	West
Caffey	Ellis	Smith (Coosa)	

—11

Said vote being a tie, the Lieutenant Governor voted "yea."

The bill:

H. 898. To amend sections 2, 10, 11, 12, 13 and 17 of an act entitled "An act to provide for and regulate the manufacture and sale of "commercial feeding stuffs" in Alabama; to further provide for registration, tagging, sampling and analyzing "commercial feeding stuffs" and to fix penalties for violations of this act," so as to regulate the sale of 'commercial feeding stuffs'; to define the same and to prohibit the adulteration thereof, to provide for their correct weight, sampling, analyses, and marketing; to authorize the commissioner of agriculture and industries to prescribe rules and regulations for carrying out the provisions of this act; to establish in the department of agriculture and industries, a division of foods, feeds and drugs, to be charged with the execution of this act; to authorize the commissioner of agriculture and industries to appoint an assistant as supervisor of said division, and to appoint other necessary clerical assistance; to provide for the payment of salaries and expenses out of the funds accruing hereunder; and to fix penalties for violations of this act. Approved Feb. 15th, 1919.

Was taken up.

The Committee on Agriculture offered the following amendment to said bill:

Amend House bill 898 by striking out section 2 thereof and all reference thereto in the caption and in section 1 of the bill.

Amend section 12 of House bill 898 by striking out the second sentence thereof, and by striking out of the third sentence thereof the words "and providing that nothing herein shall prevent the sale of ground whole ear corn of itself and not mixed with other substance but the."

Which was adopted.

Yeas, 21; nays, 0.

Yeas:

Messrs:

Acker	Briscoe	Caffey	Carmichael
Beale	Brown	Carlton	Craft

Espy	Kelly	Prestwood	Smith (Coosa)
Evins	Morris	Rogers (Sumter)	Tally
Gunter	Phillips	Sims	West
Harper			

—21

Nays:—None.

And said bill, as thus amended, was read a third time at length and passed.

Yeas, 21; nays, 0.

Yeas:

Messrs:

Acker	Carmichael	Harper	Rogers (Sumter)
Beale	Craft	Kelly	Sims
Briscoe	Espy	Morris	Smith (Coosa)
Brown	Evins	Phillips	Tally
Caffey	Gunter	Prestwood	West
Carlton			

—21

Nays:—None.

REPORT FROM COMMITTEE ON ENROLLED BILLS.

Mr. President:

Your Standing Committee on Enrolled Bills beg leave to report that said committee, in session, have compared the following enrolled bill, with the engrossed and original bill, respectively, and find same correctly enrolled, to-wit:

S. 737. To make appropriations to the State normal schools for white teachers located at Florence, Jacksonville, Livingston, Troy, Daphne and Moundville.

Chas. McDowell, Jr.,
Chairman.

SIGNING OF BILL.

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the following bill:

S. 737. To make appropriations to the State normal schools for white teachers located at Florence, Jacksonville, Livingston, Troy, Daphne and Moundville.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has concurred in and adopted the amendment proposed by his excellency, the governor, to the bill:

S. 218. To submit to the qualified electors of this State at a special election to be held at the call of the governor after ninety days from the final adjournment of this Legislature for their consideration of an amendment to the Constitution for the purpose of authorizing the State to establish and maintain a State highway system of public roads and bridges, to issue interest bearing bonds therefor, to authorize the levy and collection of automobile or other motor driven vehicle taxes by the State for said purposes and to provide for the establishment and maintenance of said State highway system, public roads and bridges according to such regulations as the Legislature may have prescribed or may hereafter prescribe.

By a vote of a majority of the whole number elected to the House, said vote being: Yeas, 77; nays, 0.

And returns same herewith to the Senate.

Fred H. Gormley,
Clerk.

RECESS.

At 7:15, on motion of Mr. Morris, the Senate took a recess until 8:45 o'clock tonight.

NIGHT SESSION—FIFTIETH DAY.

Saturday, September 27, 1919.

The Senate re-assembled at 8:45 o'clock P. M., Lieutenant Governor Miller presiding.

ROLL CALL.

On a call of the roll of the Senate, 25 members answered to their names, a quorum of the Senate.

MESSAGE FROM THE GOVERNOR.

Montgomery, Alabama, September 27th, 1919.

Gentlemen:

I am returning herewith Senate bill No. 750, to fix the compensation of the several State executive officers, officers of departments and boards, subordinate officers, clerks, watchmen and capitol servants, without my approval, and with an amendment thereto.

It is a matter of history that the salaries of many executive officers and heads of departments, as well as subordinate officers in the executive departments, and many of the officers of the judicial departments, have

been raised by your body. These several measures, carrying the raises referred to have had the executive approval.

The amendment proposed, provides that at the beginning of their terms of office in January, 1923, the salaries of the several constitutional officers, that is the secretary of State, the attorney general, the State auditor, the State treasurer, superintendent of education, and commissioner of agriculture and industries, to be elected in 1922, and the salary of the director of the department of archives and history, beginning in January 1923, shall each be increased to four thousand (\$4,000.00) dollars per annum.

The justice of the amendment ought readily to appeal to you. It merely seeks within such time as is authorized by the Constitution, to bring the salaries of these officers to a parity with others as fixed by you. It is manifest that unless such action be taken at the present time, it will not be possible for the officers named to have the benefit of a just increase, unless through the hazard of securing the passage of a bill within the first few days of the session of the Legislature of 1923, and before these officers enter upon their respective terms of service.

With this amendment made a part of the bill, as indicated on the amendment hereto attached, the bill will have my approval.

Very respectfully,
Thos. E. Kilby,
Governor.

EXECUTIVE AMENDMENT TO SENATE BILL NO. 750.

Amend said bill by adding at the end thereof the following:

Section 25. That the secretary of State, attorney general, State auditor, State treasurer, superintendent of education, and commissioner of agriculture and industries, elected in 1922, and who enter upon their respective terms in January, 1923, and their several successors in office shall each receive a salary of four thousand (\$4,000) dollars per annum, and provided, further, that beginning January 1st, 1923, the director of the department of archives and history shall receive a salary of four thousand (\$4,000.00) dollars per annum, all to be paid as the salaries of such officers are now paid.

GOVERNOR'S MESSAGE.

On motion of Mr. Briscoe, the Senate concurred in and adopted the amendment proposed by his excellency, the governor, to the bill:

S. 750. To fix the compensation of the several state executive officers, officers of departments and boards, subordinate officers, clerks, watchmen and capitol servants.

Said amendment being set out in the foregoing message from the governor.

Yeas, 18; nays, 2.

Yeas:

Messrs.:

Acker
Beale
Bedsole
Briscoe
Brown

Caffey
Cowan
Ellis
Espy

Evins
Miller
Phillips
Sims

Smith (Coosa)
Smith (Lawrence)
Tally
West

—18

Nays:

Messrs.:

Morris

McDowell

—2

MESSAGE FROM THE GOVERNOR.

S. B. 737.

September 27, 1919.

To the Senate of Alabama:

I herewith return Senate bill No. 737, an act to make appropriations to the State normal schools for white teachers located at Florence, Jacksonville, Livingston, Troy, Daphne and Moundville, without my approval, and suggest the following amendments, the adoption of which will remove my objections to the bill, namely:

Amend section 1 by striking out the words "and at Moundville." And also the words "to each" in line 18 of section 1. Also amend by adding at the end of said section 1 the following, "for the maintenance or support of the State normal school for white teachers located at Moundville there is appropriated the sum of five thousand (\$5,000) dollars for the fiscal year beginning October 1, 1919, the sum of nine thousand five hundred (\$9,500) dollars for the fiscal year beginning October 1, 1920, the sum of ten thousand (\$10,000) dollars for the fiscal year beginning October 1, 1921, the sum of fourteen thousand (\$14,000) dollars for the fiscal year beginning October 1, 1922, and a like sum for each and every fiscal year thereafter. Provided, however, that the State board of education may discontinue the said normal school located at Moundville or remove said normal school to some other location. In the event said normal school at Moundville is discontinued or removed the school at Moundville shall become a county high school, and there is hereby appropriated for it for each fiscal year after such removal or discontinuance the sum of three thousand (\$3,000) dollars as a county high school. Provided further, that if said normal school is removed from Moundville and located at any other place, then said normal school so removed and located shall have and receive the amount herein appropriated for it at Moundville as a normal school for white teachers.

Respectfully,
Thos. E. Kilby,
Governor.

GOVERNOR'S MESSAGE.

On motion of Mr. Evins, the Senate concurred in and adopted the amendment proposed by his excellency, the governor to the bill:

S. 737. To make appropriations to the State normal schools for white teachers located at Florence, Jacksonville, Livingston, Troy, Daphne and Moundville.

Said amendment being set out in the foregoing message from the governor.

Yeas, 19; nays, 0.

Yeas:

Messrs:

Beale	Carlton	Evins	Sims
Bedsole	Cowan	Harper	Smith (Coosa)
Briscoe	Craft	Morris	Smith (Lawrence)
Brown	Ellis	McDowell	Tally
Caffey	Espy	Rogers (Sumter)	

—19

Nays:—None.

REPORT FROM COMMITTEE ON ENROLLED BILLS.

Mr. President:

Your Standing Committee on Enrolled Bills, beg leave to report that said committee, in session, have compared the following enrolled bills, with the engrossed and original bills, respectively, and find same correctly enrolled, to-wit:

S. 611. Regulating the sale and exchange of gasoline, benzine, naphtha and other liquid motor fuels, and providing for the tagging and inspection of such product.

Chas. McDowell, Jr.,
Chairman.

SIGNING OF BILL.

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the following bill:

S. 611. Regulating the sale and exchange of gasoline, benzine, naphtha and other liquid motor fuels, and providing for the tagging and inspection of such product.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has amended as therein shown and as amended has passed the following bill:

S. 380. To provide for the issuance of certificates or licenses to persons who have practiced dentistry or dental surgery in the State of Alabama for twenty years or more, and to fix the fee for issuing same.

And returns same herewith to the Senate.

Fred H. Gormley,
Clerk.

HOUSE MESSAGE.

On motion of Mr. McDowell, the further consideration of S. 380, the title of which is set out in the foregoing House message, together with the following House amendment thereto:

Amend the bill by adding thereto section 2½. That all bona fide practitioners of dentistry who have regularly practiced dentistry for twenty years or more in one county of this State, and who shall present satisfactory proof of his residence in the county and his continued practice of the profession of dentistry in the county of his residence for more than twenty years shall be relieved of the payment of the fee of \$25.00 named in section 2 of the bill, and it shall be the duty of such practitioner to make proof of his residence in the county and of the continued practice of the profession of dentistry in the county of his residence, before the judge of probate of the county, and upon the making of such proof, the judge of probate shall record the same in his office, and the person making such proof may continue the practice of dentistry without the payment of any other fee except the charges made by the judge of probate for recording the proof in his office which fee shall be governed by the general law of the State for recording other instruments.

Was indefinitely postponed by the Senate.

RESOLUTION.

Mr. Briscoe offered the following Senate resolution:

S. R. 163. Whereas, it has from time to time become the duty of the Honorable T. J. Bedsole, as president pro tem of the Senate to preside over the deliberations of the Senate during the present session,

Therefore, be it resolved, That as members of the Senate we do hereby express our appreciation of the able, fair and impartial manner in which the president pro tem of the Senate has discharged the duties of his office.

Which was read and under a suspension of the rules, adopted by the Senate.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has concurred in and adopted the Senate amendments to the bill:

H. 281. For the protection of human beings and of live stock of all kinds. To impose a license on dogs over the age of three months and to provide further that dogs running at large, ex-

cept fox hounds and deer hounds wearing collars upon which the owners' names and addresses are printed or written, shall wear muzzles; to require the registration of all dogs by the probate judge in their respective counties; to provide for the necessary supplies to carry this act into effect and to provide for compensating the probate judge for his services as required herein; to provide that the funds derived from the license on dogs herein imposed by this act shall be paid to the county treasurer and kept separate and apart, and shall be known as the dog tax fund which fund shall be used in defraying the traveling expenses to and from the State Pasteur Institute of persons who have been bitten by mad dogs and who are unable to defray their own expenses, also their expenses while under treatment at this institute; likewise the funds created by this act shall be used in remunerating persons who sustain loss from dogs crippling or killing their live stock and poultry, and to provide that at the end of each fiscal year the balance remaining in the dog tax fund shall be paid by the county treasurer to the county board of education for distribution among the public schools of the county, in which the license is collected, and apportioned to the different school districts in proportion to the amount of licenses collected in such district.

Fred H. Gormley,
Clerk.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has concurred in and adopted the amendment proposed by the governor to the bill:

H. 911. To make an appropriation for the control and eradication of tuberculosis, hog cholera and all other infectious and contagious animal diseases and the materials or things that may spread or carry the cause of such diseases of live stock.

By a majority of the whole number elected to the House. Yeas, 65; nays, 1.

Said governor's message carrying the amendment being as follows:

H. B. 911.

September 27, 1919.

Gentlemen of the House of Representatives:

I herewith return House bill No. 911, making an appropriation for the control and eradication of tuberculosis, etc., without my approval, and suggest the following amendment to meet my objection, namely:

Amend section 1 by striking out the word "twenty" next before the words "thousand dollars" and substitute therefor the word "five" so that, as amended, the whole paragraph shall read as follows:

"There is hereby appropriated from monies in the State treasury, not otherwise appropriated, five thousand dollars each year for four years to be available from the time of the approval of this act by the governor until April 1, 1923."

Respectfully,
Thos. E. Kilby,
Governor.

And sends the bill together with the governor's message to the Senate for consideration.

Fred H. Gormley,
Clerk.

HOUSE AND GOVERNOR'S MESSAGE.

On motion of Mr. Rogers of Sumter, the Senate concurred in and adopted the amendment proposed by his excellency, the governor, to House bill No. 911, the title of which is set out in the foregoing message from the House, and said proposed amendment being set out in the foregoing message from the governor.

Yeas, 21; nays, 0.

Yeas:

Messrs:

Beale	Cowan	Kelly	Prestwood
Bedsole	Craft	Miller	Rogers (Sumter)
Briscoe	Ellis	Moore	Smith (Coosa)
Caffey	Gunter	Morris	Smith (Lawrence)
Carlton	Huddleston	McDowell	Tally
Carmichael			

—21

Nays:—None.

Being a majority of the whole number elected to the Senate.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has concurred in and adopted the Senate amendments to the bill:

H. 418. To authorize the boards of revenue or county commissioners of the separate counties of the State of Alabama to indemnify owners of cattle for injuries, damages or deaths caused by dipping such cattle in compliance with the laws of the State and with the rules and regulations of the State live stock sanitary board.

Fred H. Gormley,
Clerk.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has concurred in and adopted the amendment proposed by the governor to the bill:

S. 737. To make appropriations to the State normal schools for white teachers located at Florence, Jacksonville, Livingston, Troy, Daphne and Moundville.

By a majority of the whole number elected to the House. Yeas, 60; nays, 0.

And returns the bill, together with the governor's message carrying the amendment to the Senate.

Fred H. Gormley,
Clerk.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has concurred in and adopted the report of the Committee on Conference on the disagreement of the two houses on the bill:

H. 1042. To further provide for and regulate the duties of the courts of county commissioners, or boards of revenue, in the purchase and preparation of food supplies for feeding prisoners under charge, or under conviction, of any indictable offense, confined in the county jail over which they have jurisdiction, and in making provision out of the county treasury for suitable food, clothing, lodging, medicine, and medical attention, for such of the convicts sentenced to jail, with or without hard labor for the county, as are not let to hire, under the provisions of article 5, chapter 191, of the Criminal Code of Alabama, and in the employment of such convicts, sentenced to hard labor, for the county, as are ordered to labor on the public works of the county, and to further regulate and make provision for the reception, and safekeeping and feeding of convicts while being conveyed to the penitentiary, and to further regulate the accounting and payment for feeding prisoners in the county jails.

Said conference report being in words and figures as follows:

To the Legislature of Alabama:

We, your Committee on Conference on the differences between the two houses in the matter of H. 1042, in regard to the feeding of prisoners in county jails, respectfully report:

We recommend that the Senate recede from its amendments to the bill, and that the bill be amended as follows:

Amend the title so as to read as follows: "To regulate the feeding of prisoners in the county jails."

Amend section 1 to read as follows:

Section 1. It shall be the duty of the court of county commissioners or board of revenue, as the case may be, to have supervision and control of the feeding of all prisoners in the county

jail in the county over which they have jurisdiction, and to make provision out of the county treasurer for suitable food, clothing, lodging, medicine and medical attention for the prisoners confined therein.

Amend section 2 to read as follows:

Section 2. The court of county commissioners or board of revenue of the county may, with the approval of the State prison inspector, make a contract with the sheriff or jailor or with any other person for the feeding of the prisoners at a price not in excess of the amount now fixed by law. Such contract shall be subject to cancellation at the direction of the State prison inspector. In all cases where the prisoners are fed under contract by any person, other than the sheriff or jailor, the sheriff shall be allowed five cents per day for each prisoner to compensate him for services in and about the feeding of such prisoners, not to be less than seventy-five cents per day for each day.

Amend section 3 to read as follows:

Section 3. The court of county commissioners or board of revenue may, if they so determine, purchase the necessary supplies for feeding the prisoners, and may by contract arrange with the sheriff, jailor, or any other person to prepare the meals for said prisoners, and in case of a purchase of supplies by said court of county commissioners or board of revenue they shall keep a record of all purchases, showing an itemized statement of the articles purchased, the price paid, time when, and the name of the person, firm, or corporation from whom the purchase was made.

Amend said bill by adding section 3½ to read as follows:

Section 3½. It shall be the duty of the sheriff of the county, in person, or by his deputy or jailor to feed the prisoners in all counties where the same shall be required of him by the court of county commissioners or board of revenue, with the approval of the State prison inspector, in accordance with the terms of this act.

Amend section 4 to read as follows:

Section 4. The person contracting to feed the prisoners or to prepare their meals shall keep a record which shall set out the number and names of prisoners by sex and race, and whether they are State, county, city, Federal or other prisoners confined in the jail, and of each day of confinement of each prisoner both before and after conviction, the number of meals furnished and the kind and quantity of food supplied. Not less than two substantial meals a day shall be provided for each prisoner. It shall be the duty of the court of county commissioners or board of revenue to see that the food for the inmates or the jail is nutri-

tious, clean, wholesome, properly prepared and served, and of sufficient quantity and variety, and to have all kitchens where food is prepared for the prisoners, adequately screened against flies and kept clean at all times.

Amend section 11 to read as follows:

Section 11. This act shall go into effect January 1, 1920.

Respectfully submitted,

Chauncey Sparks,

F. K. Hale,

Committee on part of the House.

W. P. Acker,

A. H. Carmichael,

C. S. McDowell, Jr.,

Committee on part of the Senate.

And sends said bill, together with the report of the Conference Committee, to the Senate for its consideration.

Fred H. Gormley,
Clerk.

HOUSE MESSAGE.

On motion of Mr. Acker, the Senate concurred in and adopted the report of the Committee of Conference on the disagreement of the two houses on the Senate amendment to House bill No. 1042, the title of which is set out in the foregoing message from the House and said conference report being also set out in the foregoing message from the House.

Yeas, 20; nays, 5.

Yeas:

Messrs:

Acker	Caffey	Harper	Phillips
Beale	Carmichael	Kelly	Rogers (Sumter)
Bedsole	Cowan	Miller	Sims
Briscoe	Craft	Mocre	Smith (Coosa)
Brown	Espy	Morris	Smith (Lawrence)

—20

Nays:

Messrs:

Evins	McDowell	Prestwood	Tally
Huddleston			

—5

MESSAGE FROM THE HOUSE.

Mr. President:

The House has concurred in the Senate amendment to the bill:

H. 898. To amend sections 10, 11, 12, 13 and 17 of an act entitled, "An act to provide for and regulate the manufacture and sale of "commercial feeding stuffs" in Alabama; to further

provide for registration, tagging, sampling and analyzing "commercial feeding stuffs" and to fix penalties for violations of this act,' so as to regulate the sale of "commercial feeding stuffs;" to define the same and to prohibit the adulteration thereof, to provide for their correct weight, sampling, analyses, and marketing; to authorize the commissioner of agriculture and industries to prescribe rules and regulations for carrying out the provisions of this act; to establish in the department of agriculture and industries, a division of foods, feeds and drugs, to be charged with the execution of this act; to authorize the commissioner of agriculture and industries to appoint an assistant as supervisor of said division, and to appoint other necessary clerical assistance; to provide for the payment of salaries and expenses out of the funds accruing hereunder; and to fix penalties for violation of this act.

By a majority of the whole number elected to the House.
Yeas, 60; nays, 0.

Fred H. Gormley,
Clerk.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has concurred in and adopted the amendment proposed by the governor to the bill:

S. 750. To fix the compensation of the several state executive officers, officers of departments and boards, subordinate officers, clerks, watchmen and capitol servants.

And returns said bill together with the governor's message to the Senate.

Fred H. Gormley,
Clerk.

MESSAGE FROM THE HOUSE.

Mr. President:

The House has concurred in and adopted the amendment proposed by the governor to the bill:

H. 553. To provide for the revision, codification, digestion and promulgation of the public statutes of this State, both civil and criminal.

By a majority of the whole number elected to the House:
Yeas, 67; nays, 1.

Said amendment of the governor being as follows:

House Bill 553:

September 27, 1919.

Gentlemen of the House of Representatives:

I herewith return House bill No. 553 providing for the codification of the public statutes of the State, etc., without my approval, but will approve the same if amendments shall be made as follows, namely:

Amend section 1 by striking out the words "justices of the Supreme Court of Alabama" and substituting therefor the words "the chief justice of the Supreme Court, the presiding judge of the Court of Appeals" next before the words "and the governor," so that the clause so amended shall read, "that the chief justice of the Supreme Court of Alabama, the presiding judge of the Court of Appeals and the governor of the State be, and they are hereby authorized," etc.

Amend section 9 by striking out the words "the justices of the Supreme Court of Alabama" where they occur next after the words "execute the duties herein required of him" and next before the words "and the governor of the State," the words "the chief justice of the Supreme Court of Alabama, the presiding judge of the Court of Appeals," so that the clause in which the substitution occurs shall read, "in case said commissioner shall die, resign or become unable to execute the duties herein required of him, the chief justice of the Supreme Court of Alabama, the presiding judge of the Court of Appeals and the governor of the State shall appoint," etc.

Respectfully,
Thos. E. Kilby,
Governor.

And sends said bill together with the governor's message to the Senate for its consideration.

Fred H. Gormley,
Clerk.

HOUSE AND GOVERNOR'S MESSAGE.

On motion of Mr. Rogers of Sumter, the Senate concurred in and adopted the amendment proposed by the governor to House bill 553, the title of which is set out in the foregoing message from the House, and said amendment being set out in the foregoing message from the governor.

Yeas, 20; nays, 0.

Yeas:

Messrs:

Acker	Carlton	Huddleston	Sims
Beale	Carmichael	Miller	Smith (Coosa)
Bedsole	Espy	Morris	Smith (Lawrence)
Briscoe	Evins	Phillips	Tally
Caffey	Harper	Rogers (Sumter)	West

—20

Nays:—None.

Which was a majority of the whole number elected to the Senate.

BILLS ON THIRD READING.

The bill:

H. 1043. To further provide for and regulate the safekeeping, care and custody of prisoners in jail, and to provide for the hygiene, sanitation, cleanliness, healthfulness, management and security of all jails including town and city jails, in towns and

cities having a population of less than ten thousand, and to further prescribe and define the duties of the State prison inspector, and to provide for the compensation of deputy jailers, watchmen or guards in certain cases and under certain conditions.

Was read a third time at length and lost.

Yeas, 9; nays, 1.

Yeas:

Messrs:

Acker

Briscoe

Cowan

Rogers (Sumter)

Beale

Carmichael

Espy

Sims

Bedsole

—9

Nays:

Mr. West—1.

REPORT FROM COMMITTEE ON ENROLLED BILLS.

Mr. President:

Your Standing Committee on Enrolled Bills beg leave to report that said committee, in session, have compared the following enrolled bills, with the engrossed and original bills, respectively, and find same correctly enrolled, to-wit:

S. 549. To regulate costs, charges and fees in trials before the county courts and to provide for the collection thereof; to provide for clerks for the county court and to regulate their compensation.

Chas. McDowell, Jr.,
Chairman.

SIGNING OF BILL.

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the following bill:

S. 549. To regulate costs, charges and fees in trials before the county courts and to provide for the collection thereof; to provide for clerks for the county court and to regulate their compensation.

MESSAGE FROM THE HOUSE.

Mr. President:

The Speaker having signed the following House bill, your signature thereto is requested:

H. 281. For the protection of human beings and live stock of all kinds. To impose a license on dogs over the age of three months and to provide further that dogs running at large, except

fox hounds and deer hounds wearing collars upon which the owners' names and addresses are printed or written, shall wear muzzles; to require the registration of all dogs by the circuit clerk in their respective counties; to provide for the necessary supplies to carry this act into effect and to provide for compensating the circuit clerk for his services as required herein; to provide that the funds derived from the license on dogs herein imposed by this act shall be paid to the county treasurer and kept separate and apart, and shall be known as the dog tag fund which fund shall be used in defraying the traveling expenses to and from the State Pasteur Institute of persons who have been bitten by mad dogs and who are unable to defray their own expenses, also their expenses while under treatment at this institute; likewise the funds created by this act shall be used in remunerating persons who sustain loss from dogs crippling or killing their live stock and poultry, and to provide that at the end of each fiscal year the balance remaining in the dog tax fund shall be paid by the county treasurer to the county board of education for distribution among the public schools of the county, in which the license is collected, and apportioned to the different school districts in proportion to the amount of licenses collected in such district.

Fred H. Gormley,
Clerk.

SIGNING OF BILL.

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the following bill:

H. 281. For the protection of human beings and of live stock of all kinds. To impose a license on dogs over the age of three months and to provide further that dogs running at large, except fox hounds and deer hounds wearing collars upon which the owners' names and addresses are printed or written, shall wear muzzles; to require the registration of all dogs by the circuit clerk in their respective counties; to provide for the necessary supplies to carry this act into effect and to provide for compensating the circuit clerk for his services as required herein; to provide that the funds derived from the license on dogs herein imposed by this act shall be paid to the county treasurer and kept separate and apart, and shall be known as the dog tag fund which fund shall be used in defraying the traveling expenses to and from the State Pasteur Institute of persons who have been bitten by

mad dogs and who are unable to defray their own expenses, also their expenses while under treatment at this institute; likewise the funds created by this act shall be used in remunerating persons who sustain loss from dogs crippling or killing their live stock and poultry, and to provide that at the end of each fiscal year the balance remaining in the dog tax fund shall be paid by the county treasurer to the county board of education for distribution among the public schools of the county, in which the license is collected, and apportioned to the different school districts in proportion to the amount of licenses collected in such district.

MESSAGE FROM THE HOUSE.

Mr. President :

The House has concurred in and adopted the amendment proposed by the governor to the bill :

H. 281. For the protection of human beings and of live stock of all kinds. To impose a license on dogs over the age of three months and to provide further that dogs running at large, except fox hounds and deer hounds wearing collars upon which the owners' names and addresses are printed or written, shall wear muzzles; to require the registration of all dogs by the circuit clerk in their respective counties; to provide for the necessary supplies to carry this act into effect and to provide for compensating the circuit clerk for his services as required herein; to provide that the funds derived from the license on dogs herein imposed by this act shall be paid to the county treasurer and kept separate and apart, and shall be known as the dog tax fund which fund shall be used in defraying the traveling expenses to and from the State Pasteur Institute of persons who have been bitten by mad dogs and who are unable to defray their own expenses, also their expenses while under treatment at this institute; likewise the funds created by this act shall be used in remunerating persons who sustain loss from dogs crippling or killing their live stock and poultry, and to provide that at the end of each fiscal year the balance remaining in the dog tax fund shall be paid by the county treasurer to the county board of education for distribution among the public schools of the county, in which the license is collected, and apportioned to the different school districts in proportion to the amount of licenses collected in such district.

By a majority of the whole number elected to the House: Yeas, 57; nays, 7; said governor's message carrying the amendment being as follows:

H. B. 281.

September 27, 1919.

Gentlemen of the House of Representatives:

I herewith return House bill 281 relating to the dog tax law, without my approval, and suggest amendments which if adopted will meet my objections to the bill, as follows, namely:

Amend title by striking out "county treasury" and substituting "State treasury" and by striking out all after the words "and poultry."

Amend section 4 by substituting the words "State treasury" for the words "county treasury."

Amend section 9 by striking out the word "county" and substituting therefor the word "State."

Amend section 13 by striking out the word "county" where it last appears in said section and substituting therefor the word "State," and adding as the concluding clause of said section the words "upon warrant drawn by the State auditor."

Amend section 14 by striking out all words after the words "carry this act into effect."

Amend section 17 by striking out the words "court of county commissioners or board of revenue at their next meeting," and substitute therefor the words "State auditor."

Amend the bill by striking out section 18.

Amend the bill by striking out the following words in section 20, namely, "provided the provisions of this bill shall not repeal or invalidate the local dog law for Dallas county or affect the provisions thereof."

Respectfully,

Thos. E. Kilby,
Governor.

And sends said bill together with the governor's message to the Senate for its consideration.

Fred H. Gormley,
Clerk.

HOUSE AND GOVERNOR'S MESSAGE.

On motion of Mr. Rogers of Sumter, the Senate concurred in and adopted the amendment proposed by the governor to House bill 281, the title of which is set out in the foregoing message from the House, and said amendment being set out in the foregoing message from the governor.

Yeas, 18; nays, 1.

Yeas:

Messrs:

Acker	Carmichael	Harper	Rogers (Sumter)
Bedsole	Cowan	Kelly	Sims
Briscoe	Espy	Miller	Smith (Coosa)
Brown	Evins	Prestwood	West
Carlton	Gunter		

Nays:

Mr. Tally—1.

—18

Being a majority of the whole number elected to the Senate.

MESSAGE FROM THE HOUSE.

Mr. President:

The Speaker having signed the following House bills your signature thereto is requested:

H. 452. Authorizing a bank to pay the deposit of a deceased depositor to the widow, or husband, or heirs of the deceased, where the deposit does not exceed one thousand (\$1,000.00) dollars, after the lapse of sixty (60) days from the death of the deceased.

Also:

H. 872. To provide for the special appointment by judges of the circuit court in circuits having five or more circuit judges, of court reporters designated by the parties to any matter, cause, or proceeding, to act as official court reporters; to define their duties, and fix their compensation, and the method of payment thereof; to provide for the taxation of the compensation of such reporters as costs, and for the reimbursement of parties who shall pay the compensation of such reporters; and to provide that the transcript of such court reporter of the testimony, or other oral proceedings in any matter, cause, or proceeding in said courts, when certified by such reporter, shall be prima facie evidence of such testimony, or other oral proceedings, and shall be admissible in evidence of such testimony or other oral proceedings whenever proof thereof is otherwise competent.

Also:

H. 1066. To alter, extend or re-arrange the boundary lines of the corporate limits of the town of Brighton, Alabama.

Also:

H. 866. To provide for the election of members of the commissioners court of Crenshaw county, and to fix their term of office.

Also:

H. 615. To amend certain sections of the primary election law, being "An act to regulate primary elections in the State of Alabama," appearing in the printed acts of 1915 at pages 218 to 239 inclusive, by amending, to-wit: Sections 8, 9, 11, 12, 19, 20, 23, 32, 33, 36, 38, 39, 40, 41, 42, 43, 45, 49, 52 and 58 of said act.

Also:

H. 938. To require the payment to State convicts, upon their lawful discharge from penal servitude, of additional cash allowances adequate to their needs.

Also:

H. 1049. To provide for the construction of a fireproof building for the safe keeping of all county records in all counties of

the State having more than 150,000 population according to the last or any succeeding Federal census and to provide for the keeping of records therein.

Also:

H. 646. To close, vacate and annul the alley which runs from Winkler avenue, eastward through Block F, according to the map and survey of the South Highlands Land Company, recorded in the office of the judge of probate of Jefferson county, in Map Book seven, at page three.

Also:

H. 562. To repeal section 3279, 3280 and 3281 of the Code of Alabama, an act to amend section 3281 of the Code of Alabama, approved April 22, 1911, and an act to amend section 3279 of the Code of Alabama. Approved September 8, 1915.

Also:

H. 1059. To designate the public road from Chancellors Ferry and running in a northerly direction to Creswell Church, and on by way of Vincent, Sterrett, Vandiver, Dunnovant, intersecting the main highway of Jefferson county, near Leeds, Alabama, as a State trunk road.

Also:

H. 855. To create the department of examiners of accounts, to prescribe its powers, duties and functions, provide for the appointment of a chief examiner and assistant examiners, to regulate the duties and compensation of such officials, and to provide clerical help for said department.

Also:

H. 401. To create a State highway department; to define its powers and duties; to authorize State aid in the construction and maintenance of public roads and bridges; to create a State highway fund and to provide for its expenditure; to impose certain duties upon county and municipal officials and to provide a penalty for their failure to discharge same; to authorize the State highway department to work State convicts upon public roads and bridges as is now or may hereafter be provided by law; to assent to the Act of Congress approved July 11, 1916, known as the "Federal Aid Law" and to authorize the State highway department to co-operate with the United States government in the construction and maintenance of rural post roads; and to repeal the act approved April 5, 1911, entitled, "An act to provide for the creation of a State highway commission, defining its powers, duties and compensations, and methods to be adopted for control of same and for appropriation and maintenance of the same and to give State aid and State supervision over all public roads, culverts and bridges of the

State for construction of a permanent nature and the maintenance thereof wherein any portion of the appropriation herein-after made shall be used for such purpose; and to make an appropriation therefor out of the net revenue of the convict fund of the State and from other sources.

Also:

H. 1044. For the relief of W. J. Richardson, sheriff of Pickens county, Alabama, to pay him the sum of \$177.07 due him by the State of Alabama for extraordinary expenses incurred in the extradition of Charley Carpenter from Muskogee, Oklahoma, under authority from the governor of Alabama dated December 16, 1918.

Also:

H. 1036. To provide for the sale of the printed and bound volumes of the reports of the decisions of the Supreme Court of Alabama.

H. 634. To prevent frauds and impositions upon the people of the State and to protect investors.

H. 657. To provide that when any city or town in this State has heretofore acquired, or may hereafter acquire, by purchase, assignment or otherwise, any mortgage or real estate, that such city or town shall have a lien on such real estate for the amount expended or advanced by it, with interest thereon, and may enforce such lien by appropriate proceedings in the equity side of the circuit court. Provided that this act shall only apply to cities having 100,000 or more population according to the last or any subsequent Federal census.

H. 583. To further revise, extend and amend the health and quarantine laws of the State of Alabama; to provide penalties for the violation of the provisions thereof; and to make appropriations to cover the expenses thereof.

H. 827. To vacate the dedication of all streets, avenues, and alleys, public highways and public passage ways, into, through, over, on, or across the following described property, situated in the city of Birmingham, and State of Alabama: Beginning at the southeast (SE) corner of Thirty-second (32nd) street and First (1st) avenue, north; thence running southwardly along said street four hundred and fifteen (415) feet to the common railroad right of way, that is, a line running parallel with and eighty-five (85) feet northward of the center of the Alabama Great Southern Railroad; thence eastward along said right of way about thirty-four hundred (3,400) feet to the limits of the property formerly belonging to the Elyton Land Company, that is, the east side of section thirty (30), township seventeen (17), range two (2) west; thence north along the said section line

about three hundred feet more or less to a point one hundred and eighty-eight (188) feet south of the center of the east side of said section thirty (30); thence west three hundred and eighty (380) feet to the south side of said First (1st) avenue; thence westward along the said avenue about thirty-two hundred and fifteen (3,215) feet to the point of beginning; and also a right of way which lies east of Thirty-second (32nd) street, and which is more particularly described as follows, to-wit, a strip of land twenty-five hundred and ten (2,510) feet in length and eleven (11) feet in width, off of what here heretofore been known and designated as the common railroad right of way, said strip of land lying immediately along side and south of the Mary Pratt property, hereinabove described, and off of the north side of said common railroad right of way hereinabove mentioned, and more particularly described as follows: Beginning at the southwest (SW) corner of the Mary Pratt property hereinabove described at a point on Thirty-second (32nd) street four hundred and fifteen (415) feet in a southerly direction from the junction of First (1st) avenue and Thirty-second (32nd) street; thence running in an easterly direction twenty-five hundred and ten (2,510) feet; thence at a right angle in a southerly direction eleven feet; thence in a westerly direction twenty-five hundred and ten (2,510) feet; thence in a northerly direction eleven (11) feet to the point of beginning.

Fred H. Gormley,
Clerk.

SIGNING OF BILLS.

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the following bills:

H. 452. Authorizing a bank to pay the deposit of a deceased depositor to the widow, or husband, or heirs of the deceased, where the deposit does not exceed one thousand (\$1,000.00) dollars, after the lapse of sixty (60) days from the death of the deceased.

H. 872. To provide for the special appointment by judges of the circuit courts in circuits having five or more circuit judges, of court reporters designated by the parties to any matter, cause, or proceeding, to act as official court reporters; to define their duties, and fix their compensation, and the method of payment thereof; to provide for the taxation of the compensation of such reporters as costs, and for the reimbursement of parties who shall

pay the compensation of such reporters; and to provide that the transcript of such court reporter of the testimony, or other oral proceedings in any matter, cause, or proceeding in said courts, when certified by such reporter, shall be prima facie evidence of such testimony, or other oral proceedings, and shall be admissible in evidence of such testimony or other oral proceedings whenever proof thereof is otherwise competent.

H. 1066. To alter, extend or re-arrange the boundary lines of the corporate limits of the town of Brighton, Alabama.

H. 866. To provide for the election of members of the commissioners court of Crenshaw county, and to fix their term of office.

H. 615. To amend certain sections of the primary election law, being "An act to regulate primary elections in the State of Alabama," appearing in the printed acts of 1915 at pages 218 to 239 inclusive, by amending, to-wit: Sections 8, 9, 11, 12, 19, 20, 23, 32, 33, 36, 38, 39, 40, 41, 42, 43, 45, 49, 52 and 58 of said act.

H. 938. To require the payment to State convicts, upon their lawful discharge from penal servitude, of additional cash allowances adequate to their needs.

H. 1049. To provide for the construction of a fireproof building for the safe keeping of all county records in all counties of the State having more than 150,000 population according to the last or any succeeding Federal census and to provide for the keeping of records therein.

H. 646. To close, vacate and annul the alley which runs from Winkler avenue, eastward through Block F, according to the map and survey of the South Highlands Land Company, recorded in the office of the judge of probate of Jefferson county, in Map Book seven, at page three.

H. 562. To repeal section 3279, 3280 and 3281 of the Code of Alabama, an act to amend section 3281 of the Code of Alabama, approved April 22, 1911, and an act to amend section 3279 of the Code of Alabama. Approved September 8, 1915.

H. 1059. To designate the public road from Chancellors Ferry and running in a northerly direction to Creswell Church, and on by way of Vincent, Sterrett, Vandiver, Dunnivant, intersecting the main highway of Jefferson county, near Leeds, Alabama, as a State trunk road.

H. 855. To create the department of examiners of accounts, to prescribe its powers, duties and functions, provide for the appointment of a chief examiner and assistant examiners, to regulate the duties and compensation of such officials, and to provide clerical help for said department.

H. 401. To create a State highway department; to define its powers and duties; to authorize State aid in the construction and maintenance of public roads and bridges; to create a State highway fund and to provide for its expenditure; to impose certain duties upon county and municipal officials and to provide a penalty for their failure to discharge same; to authorize the State highway department to work State convicts upon public roads and bridges as is now or may hereafter be provided by law; to assent to the act of Congress approved July 11, 1916, known as the "Federal aid law" and to authorize the State highway department to co-operate with the United States government in the construction and maintenance of rural post roads; and to repeal the act approved April 5, 1911, entitled "An act to provide for the creation of a State highway commission, defining its powers, duties and compensations, and methods to be adopted for control of same and for appropriation and maintenance of the same and to give State aid and State supervision over all public roads, culverts and bridges of the State for construction of a permanent nature and the maintenance thereof wherein any portion of the appropriation hereinafter made shall be used for such purpose; and to make an appropriation therefor out of the net revenue of the convict fund of the State and from other sources.

H. 1044. For the relief of W. J. Richardson, sheriff of Pickens county, Alabama, to pay him the sum of \$177.07 due him by the State of Alabama for extraordinary expenses incurred in the extradition of Charley Carpenter from Muskogee, Oklahoma, under authority from the governor of Alabama dated December 16, 1918.

H. 1036. To provide for the sale of the printed and bound volumes of the reports of the decisions of the Supreme Court of Alabama.

H. 634. To prevent frauds and impositions upon the people of the State and to protect investors.

H. 657. To provide that when any city or town in this State has heretofore acquired, or may hereafter acquire, by purchase, assignment or otherwise, any mortgage or real estate, that such city or town shall have a lien on such real estate for the amount expended or advanced by it, with interest thereon, and may enforce such lien by appropriate proceedings in the equity side of the circuit court. Provided that this act shall only apply to cities having 100,000 or more population according to the last or any subsequent Federal census.

H. 583. To further revise, extend and amend the health and quarantine laws of the State of Alabama; to provide penalties for the violation of the provisions thereof; and to make appropriations to cover the expenses thereof.

H. 827. To vacate the dedication of all streets, avenues, and alleys, public highways and public passage ways, into, through, over, on, or across the following described property, situated in the city of Birmingham, and State of Alabama: Beginning at the southeast (SE) corner of Thirty-second (32nd) street and First (1st) avenue, north; thence running southwardly along said street four hundred and fifteen (415) feet to the common railroad right of way, that is, a line running parallel with and eighty-five (85) feet northward of the center of the Alabama Great Southern Railroad; thence eastward along said right of way about thirty-four hundred (3,400) feet to the limits of the property formerly belonging to the Elyton Land Company, that is, the east side of section thirty (30), township seventeen (17), range two (2) west; thence north along the said section line about three hundred feet more or less to a point one hundred and eighty-eight (188) feet south of the center of the east side of said section thirty (30); thence west three hundred and eighty (380) feet to the south side of said First (1st) avenue; thence westward along the said avenue about thirty-two hundred and fifteen (3,215) feet to the point of beginning; and also a right of way which lies east of Thirty-second (32nd) street, and which is more particularly described as follows, to-wit, a strip of land twenty-five hundred and ten (2,510) feet in length and eleven (11) feet in width, off of what here heretofore been known and designated as the common railroad right of way, said strip of land lying immediately along side and south of the Mary Pratt property, hereinabove described, and off of the north side of said common railroad right of way hereinabove mentioned, and more particularly described as follows: Beginning at the southwest (SW) corner of the Mary Pratt property hereinabove described at a point on Thirty-second (32nd) street four hundred and fifteen (415) feet in a southerly direction from the junction of First (1st) avenue and Thirty-second (32nd) street; thence running in an easterly direction twenty-five hundred and ten (2,510) feet; thence at a right angle in a southerly direction eleven feet; thence in a westerly direction twenty-five hundred and ten (2,510) feet; thence in a northerly direction eleven (11) feet to the point of beginning.

MESSAGE FROM THE HOUSE.

Mr. President:

The Speaker having signed the following House bills, your signature thereto is requested:

H. 335. To amend section 813 of the Code of Alabama, as amended by section 3 of an act to amend sections 811, 812, 813,

814, 815, 818 and 819 of the Code of Alabama, approved September 28, 1915.

Also:

H. 1046. To amend section 1 of an act entitled, "An act to provide for the election of a solicitor for each judicial circuit in the State; to fix his compensation; authorize the appointment or election of deputy solicitors and assistant solicitors, prescribe their duties and authority, and fix their compensation," approved September 25, 1915.

Also:

H. 1046. To provide for the establishment and maintenance of public libraries by counties, to provide for their government and supervision, and to authorize the co-operation and affiliation of rural, town and village school libraries with any libraries so organized.

Also:

H. 633. To provide a turn-out time for stock in beat 3, in Coffee county, Alabama.

Also:

H. 842. To encourage the manufacture of air nitrates in the State of Alabama, by exempting from taxation the plants, products and other property of any person, firm or corporation acquiring either by lease or purchase, any factory or plant already built in this State for the production and manufacture of atmospheric nitrogen.

Also:

H. 656. To authorize and empower cities and towns of the State of Alabama to contract with the United States of America, the State of Alabama, and any county of the State of Alabama, for the construction or improvement, or the reconstruction or re-improvement of streets, avenues and highways when such streets, avenues or highways are established, constructed, reconstructed, improved or reimproved by the United States government, the State of Alabama, or any county of the State of Alabama, and to agree upon the proportionate share of the cost of such assessment to be paid by any municipality; and to provide for the assessment of the same against the property benefited; and to authorize the issuance of bonds for such public improvements; and to provide that such proceedings shall be governed by the general laws of Alabama relating to assessments, for public improvements, except as herein provided.

Also:

H. 961. To confer final jurisdiction of bastardy cases on inferior courts or courts established in lieu of justices of the peace, by whatsoever name called, in counties having a population of

150,000 or more, according to the last or any subsequent Federal census.

Also:

H. 900. To confer additional powers, authority and jurisdiction on and to further prescribe the duties of the board of control and economy created by the act of the Legislature, approved February 13, 1919; to abolish the board of convict inspectors and the offices of the members and employees thereof and to confer upon the State board of control and economy all the power, authority and jurisdiction heretofore exercised by or under the authority of the State board of convict inspectors, and additional powers and authority, including authority and power to provide for the segregation, care, custody and treatment of tubercular persons; and to impose upon the board of control and economy all the duties heretofore required of the State board of convict inspectors and additional duties; to confer upon the board of control and economy general supervision and authority over the office of the State prison inspector who shall henceforth discharge the duties of his office in connection with and as part of the work of the State board of control and economy; to confer upon the board of control and economy certain duties and authority with reference to the purchasing and supplies of the public printing and binding, stationery, fuel and paper, and other powers and authority incident to the more efficient control and coordination of the business operations of the State; (also providing for the necessary appropriations to pay all salaries, wages and other expenses and outlays authorized to be paid or incurred in this and the said original act of February 13, 1919.

Also:

H. 849. To amend section 1313 of the Code of Alabama of 1907.

Also:

H. 751. To further prohibit disturbances at churches, school houses, or at other public places. To prevent injuries to automobiles and other vehicles parked at such places.

Also:

H. 785. To further regulate public gins and ginneries in this State.

Also:

H. 981. To amend sections 10 and 21 of the act of the Legislature of Alabama, entitled "An act to provide for the government by a commission of all cities in Alabama which now have, or which may hereafter have a population of one hundred thousand people, or more according to the last Federal census or any such census which may hereafter be taken, when such cities by

an election adopt the provisions of this act; to provide for the selection and election of commissioners and their terms of office; to fix their powers, duties and compensation; to punish improper conduct in connection with the election of said commissioners, and to otherwise provide for the creation, conduct and maintenance of said commission form of government, and to repeal all laws and parts of laws in conflict with the provisions of this act," approved September 25, 1915, be amended so as to read as follows:

Also:

H. 762. To fix the salary of the judge of the county court in all counties having a population of not less than twenty-three thousand one hundred and fifty (23,150) and not more than twenty-three thousand two hundred and fifty (23,250) according to the Federal census of 1910 or any subsequent Federal census and provide for the payment of the same.

Also:

H. 691. To amend sections 1, 2 and 3 of an act to amend sections 3264 and 3265, and repeal section 6647 of the Code of 1907," said act being approved September 22nd, 1915.

Also:

H. 256. To authorize and empower counties, cities and towns to appropriate moneys out of their general funds for the maintenance and support of municipal bands and other musical organizations for public entertainment.

Also:

H. 442. To change the name of the "Mercy Home Industrial School for Girls," located at Birmingham, Alabama, to the Alabama Vocational School for Girls, and to provide appropriations for the support, maintenance and improvement of the same.

Also:

H. 813. To amend section 7000 of the Code of Alabama, 1907.

Also:

H. 835. To authorize the commissioners or other governing authorities in all cities of the State of Alabama which have a population of as many as twenty-five thousand and less than fifty thousand people, according to the last Federal census, or which shall hereafter have such population according to any Federal census that may be taken hereafter, to make contributions or expenditures to civic or commercial organizations located in such cities where such expenditure or contribution is for the purpose of advancing the best interests of such cities.

Also:

H. 323. To provide for the establishment, discontinuance, construction, use, working and maintenance of the public roads and bridges of Lamar county, Alabama. To define the duties and powers of the court of county commissioners of Lamar county with regard to same, and to fix penalties for violation of the rules and regulations of the public road law of Lamar county and the State of Alabama.

Also:

H. 935. To amend section 153 of the Code of Alabama.

Also:

H. 524. For the relief of Honor McNicholas, John Muldowney, Mary Muldowney Walsh, Martin J. Muldowney, Andrew George Muldowney and Nora Muldowney O'Hara.

H. 727. To make an appropriation for certain fencing required for the Confederate Soldiers' Home at or near Mountain Creek.

Also:

H. 757. To amend section 3503 of the Code of Alabama of 1907.

Also:

H. 492. To make an appropriation out of the State treasury to pay premiums on Alabama raised steers and to provide how and by what means said amount shall be paid.

Also:

H. 191. To promote the public health, convenience and welfare by leveeing, ditching, draining and pumping out the water from the wet, swamp and overflowed lands, in all counties of Alabama having in them incorporated cities which now have or which may hereafter have a population of as much as fifty thousand and less than one hundred and twenty-five thousand people, according to the last Federal census, or any such census which may hereafter be taken, and providing for the establishment of levee or drainage districts for the purpose of enlarging or changing any natural water courses, and for digging ditches or canals for securing better drainage, or providing better outlets for drainage, for building levees or embankments and installing tide gates or pumping plants for the reclamation of overflowed and tidal lands, and prescribing a method for so doing, and providing for the assessment and collection of the costs and expenses of the same, and issuing and selling bonds therefor, and for the care and maintenance of such improvements, when constructed.

Also:

H. 844. To define trusts, monopolies, combines, profiteering and unlawful acts in hoarding, cornering or storing commodities with the purpose and intent to probably influence the price of

food, commodities or any necessities of life and to fix civil and criminal liabilities, penalties or punishment and to provide remedies for the enforcement in such cases.

Also:

H. 1037. To provide for the sale of the printed and bound volumes of the reports of the decisions of the Court of Appeals of Alabama; also to authorize the purchase and distribution of compiled amendments to the Constitution of Alabama, and making an appropriation therefor.

Also:

H. 862. To better secure compliance with the laws of Alabama, requiring instruction of all pupils in public schools, and in all schools and colleges supported in whole or in part by public money, or under State control, with reference to the effect of alcoholic drinks, stimulants and narcotics upon the human system.

Also:

H. 1038. To repeal an act entitled, "An act to authorize and empower the Decatur Land Company, a corporation, to list certain of its lands to tax assessor of Morgan county in acreage." Approved December 13, 1900.

Also:

H. 775. To repeal an act entitled, "An act to provide for the payment of witnesses before the grand juries and State witnesses in all criminal cases, and of the sheriff of the county of Crenshaw and clerks of the circuit court and county court in and for said county in criminal cases, where the State fails to convict, out of the general funds of Crenshaw county. Local Acts 1915, page 361, approved September 10th, 1915."

Also:

H. 378. To further suppress the evils of intemperance; to prohibit the manufacture, sale, giving away or having in possession any still, apparatus, appliance or any device or substitute therefor to be used in the manufacture of prohibited liquors and beverages.

Also:

H. 850. For the relief of J. N. Varner, of Conecuh county, Alabama, appropriating to him one hundred forty dollars (\$140.00) out of any funds in the State treasury not otherwise appropriated on account of his name being wrongfully stricken from the pension roll as a Confederate veteran.

Also:

H. 1125. To amend subdivision 84 of section 361 of an act to provide for the general revenue of the State of Alabama, approved September 15th, 1919.

Also:

H. 987. To declare a lien in favor of landlords upon livestock raised or grazed upon rented land.

Also:

H. 995. To provide for the construction, care, maintenance, and improvement of the public roads of Franklin county; to provide funds, regulations, penalties, and officers to insure such constructions, care, maintenance, and improvement; to provide a county superintendent of roads, prescribe his qualifications, method of selection, term of office, salary, duties, powers; to prescribe in general the records to be kept by said superintendent; to provide that the court of county revenue shall have full powers over the road system; to provide beat supervisors, sections overseers, and other persons to carry out said work on the road system of the county; to prescribe the duties of individuals and corporations in regard to the enforcement of said road law.

Also:

H. 726. To create and establish the Alabama Patriotic Society, to define its scope and purposes, to provide for the appointment by the governor of its officers, to prescribe the manner in which their successors shall be chosen, and to define their functions.

Also:

H. 418. To authorize the boards of revenue or county commissioners of the separate counties of the State of Alabama in their discretion to indemnify owners of cattle for injuries, damages or deaths caused by dipping such cattle in compliance with the laws of the State and with the rules and regulations of the State live stock sanitary board.

Also:

H. 475. To authorize the personal representative, by appointment of a court having jurisdiction in any other State than the State of Alabama, to receive and collect indebtedness owing to deceased by a person who is a resident of Alabama, and to execute receipt and discharge therefor.

Also:

H. 911. To make an appropriation for the control and eradication of tuberculosis, hog cholera and all other infectious and contagious animal diseases and the materials or things that may spread or carry the cause of such diseases of live stock.

Also:

H. 1042. To regulate the feeding of prisoners in the county jails.

Also:

H. 898. To amend sections 10, 11, 12, 13, and 17 of an act entitled, "An act to provide for and regulate the manufacture and

sale of "commercial feeding stuffs" in Alabama; to further provide for registration, tagging, sampling and analyzing "commercial feeding stuffs" and to fix penalties for violations of this act," so as to regulate the sale of "commercial feeding stuffs;" to define the same and to prohibit the adulteration thereof, to provide for their correct weight, sampling, analyses, and marketing; to authorize the commissioner of agriculture and industries to prescribe rules and regulations for carrying out the provisions of this act; to establish in the department of agriculture and industries, a division of foods, feeds and drugs, to be charged with the execution of this act; to authorize the commissioner of agriculture and industries to appoint an assistant as supervisor of said division, and to appoint other necessary clerical assistance; to provide for the payment of salaries and expenses out of the funds accruing hereunder; and to fix penalties for violation of this act. Approved February 15, 1919.

Also:

H. 767. To appropriate five thousand (\$5,000.00) dollars annually to the Alabama State horticultural society for the promotion of horticulture within the State of Alabama.

Also:

H. 619. To create and establish a board of revenue in and for Morgan county, Alabama, in the place and stead of the commissioners' court now existing in said county, and abolishing said commissioners' court; to divide said county of Morgan into four districts, defining the boundaries thereof; providing that the present county commissioners shall be the members of said board of revenue for their unexpired term; fixing the term of office and providing for the election of subsequent members thereof; defining the jurisdiction of said board of revenue; fixing their compensation; conferring upon said board of revenue and the individual members thereof all the jurisdictions, powers and authority granted by law to county commissioners and to commissioners courts and boards of revenue in this State; authorizing the appointment by said board of revenue of a county auditor and a superintendent of public roads; providing for the holding of monthly meetings of said board of revenue beginning on the second Monday in each month; providing for the repeal of all laws in conflict with this act and, fixing the time when this act shall become operative.

Also:

H. 553. To provide for the revision, codification, digesting, and promulgation of the public statutes of this State, both civil and criminal.

Fred H. Gormley,
Clerk.

SIGNING OF BILLS.

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the following bills:

H. 335. To amend section 813 of the Code of Alabama, as amended by section 3 of an act to amend sections 811, 812, 813, 814, 815, 818 and 819 of the Code of Alabama, approved September 28, 1915.

H. 1046. To amend section 1 of an act entitled, "An act to provide for the election of a solicitor for each judicial circuit in the State; to fix his compensation; authorize the appointment or election of deputy solicitors and assistant solicitors, prescribe their duties and authority, and fix their compensation," approved September 25, 1915.

H. 944. To provide for the establishment and maintenance of public libraries by counties, to provide for their government and supervision, and to authorize the co-operation and affiliation of rural, town and village school libraries with any libraries so organized.

H. 633. To provide a turn-out time for stock in beat 3, in Coffee county, Alabama.

H. 842. To encourage the manufacture of air nitrates in the State of Alabama, by exempting from taxation the plants, products and other property of any person, firm or corporation acquiring either by lease or purchase, any factory or plant already built in this State for the production and manufacture of atmospheric nitrogen.

H. 656. To authorize and empower cities and towns of the State of Alabama to contract with the United States of America, the State of Alabama, and any county of the State of Alabama, for the construction or improvement, or the reconstruction or reimprovement of streets, avenues and highways, when such streets, avenues or highways are established, constructed, reconstructed, improved or reimproved by the United States government, the State of Alabama, or any county of the State of Alabama, and to agree upon the proportionate share of the cost of such assessment to be paid by any municipality; and to provide for the assessment of the same against the property benefited; and to authorize the issuance of bonds for such public improvements; and to provide that such proceedings shall be governed by the general laws of Alabama relating to assessments for public improvements, except as herein provided.

H. 961. To confer final jurisdiction of bastary cases on inferior courts or courts established in lieu of justices of the peace, by whatsoever name called, in counties having a population of 150,000 or more, according to the last or any subsequent Federal census.

H. 900. To confer additional powers, authority and jurisdiction on and to further prescribe the duties of the board of control and economy created by the act of the Legislature, approved February 13, 1919; to abolish the board of convict inspectors and the offices of the members and employees thereof and to confer upon the State board of control and economy all the power, authority and jurisdiction heretofore exercised by or under the authority of the State board of convict inspectors, and additional powers and authority, including authority and power to provide for the segregation, care, custody and treatment of tubercular persons; and to impose upon the board of control and economy all the duties heretofore required of the State board of convict inspectors and additional duties; to confer upon the board of control and economy general supervision and authority over the office of the State prison inspector who shall henceforth discharge the duties of his office in connection with and as part of the work of the State board of control and economy; to confer upon the board of control and economy certain duties and authority with reference to the purchasing and supplies of the public printing and binding, stationery, fuel and paper, and other powers and authority incident to the more efficient control and co-ordination of the business operation of the State; also providing for the necessary appropriation to pay all salaries, wages and other expenses and outlays authorized to be paid or incurred in this and the said original act of February 13, 1919.

H. 849. To amend section 1313 of the Code of Alabama of 1907.

H. 751. To further prohibit disturbances at churches, school houses, or at other public places. To prevent injuries to automobiles and other vehicles parked at such places.

H. 785. To further regulate public gins and ginneries in this State.

H. 981. To amend sections 10 and 21 of the act of the Legislature of Alabama, entitled, "An act to provide for the government by a commission of all cities in Alabama which now have, or which may hereafter have, a population of one hundred thousand people, or more, according to the last Federal census, or any such census which may hereafter be taken, when such cities by an election adopt the provisions of this act; to provide for the

selection and election of commissioners and their terms of office; to fix their powers, duties and compensation; to punish improper conduct in connection with the election of said commissioners, and to otherwise provide for the creation, conduct and maintenance of said commission form of government, and to repeal all laws and parts of laws in conflict with the provisions of this act," approved September 25, 1915, be amended so as to read as follows.

H. 762. To fix the salary of the judge of the county court in all counties having a population of not less than twenty-three thousand one hundred and fifty (23,150) and not more than twenty-three thousand two hundred and fifty (23,250) according to the Federal census of 1910 or any subsequent Federal census and provide for the payment of the same.

H. 691. To amend sections 1, 2 and 3 of an act to amend sections 3264 and 3265, and repeal section 6647 of the Code of 1907," said act being approved September 22nd, 1915.

H. 256. To authorize and empower counties, cities and towns to appropriate moneys out of their general funds for the maintenance and support of municipal bands and other musical organizations for public entertainment.

H. 442. To change the name of the "Mercy Home Industrial School for Girls," located at Birmingham, Alabama, to the Alabama Vocational School for Girls, and to provide appropriations for the support, maintenance and improvement of the same.

H. 813. To amend section 7000 of the Code of Alabama, 1907.

H. 835. To authorize the commissioners or other governing authorities in all cities of the State of Alabama which have a population of as many as twenty-five thousand and less than fifty thousand people, according to the last Federal census, or which shall hereafter have such population according to any Federal census that may be taken hereafter, to make contributions or expenditures to civic or commercial organizations located in such cities where such expenditure or contribution is for the purpose of advancing the best interests of such cities.

H. 323. To provide for the establishment, discontinuance, construction, use, working and maintenance of the public roads and bridges of Lamar county, Alabama. To define the duties and powers of the court of county commissioners of Lamar county with regard to same, and to fix penalties for violation of the rules and regulations of the public road law of Lamar county and the State of Alabama.

H. 935. To amend section 153 of the Code of Alabama.

H. 524. For the relief of Honor McNicholas, John Muldowney, Mary Muldowney Walsh, Martin J. Muldowney, Andrew George Muldowney and Nora Muldowney O'Hara.

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H. 492. To make an appropriation out of the State treasury to pay premiums on Alabama raised steers and to provide how and by what means said amount shall be paid.

H. 191. To promote the public health, convenience and welfare by leveeing, ditching, draining and pumping out the water from the wet, swamp and overflowed lands in all counties of Alabama having in them incorporated cities which now have or which may hereafter have a population of as much as fifty thousand and less than one hundred and twenty-five thousand people, according to the last Federal census or any such census which may be hereafter be taken, and providing for the establishment of levee or drainage districts for the purpose of enlarging or changing any natural water courses and for digging ditches or canals for securing better drainage, or providing better outlets for drainage, for building levees or embankments and installing tide gates or pumping plants for the reclamation of overflowed and tidal lands and prescribing a method for so doing, and providing for the assessment and collection of the costs and expenses of the same, and issuing and selling bonds therefor and for the care and maintenance of such improvements when constructed.

H. 844. To define trusts, monopolies, combines, profiteering and unlawful acts in hoarding, cornering or storing commodities with the purpose and intent to probably influence the price of food, commodities or any necessities of life and to fix civil and criminal liabilities, penalties or punishment and to provide remedies for the enforcement in such cases.

H. 1037. To provide for the sale of the printed and bound volumes of the reports of the decisions of the Court of Appeals of Alabama; also to authorize the purchase and distribution of compiled amendments to the Constitution of Alabama, and making an appropriation therefor.

H. 862. To better secure compliance with the laws of Alabama, requiring instruction of all pupils in public schools, and in all schools and colleges supported in whole or in part by public money, or under State control, with reference to the effect of alcoholic drinks, stimulants and narcotics upon the human system.

H. 1038. To repeal an act entitled, "An act to authorize and empower the Decatur Land Company, a corporation, to list certain of its lands to tax assessor of Morgan county in acreage." Approved December 13, 1900.

H. 775. To repeal an act entitled, "An act to provide for the payment of witnesses before the grand juries and State witnesses in all criminal cases, and of the sheriff of the county of Crenshaw and clerks of the circuit court and county court in and for said county in criminal cases, where the State fails to convict, out of the general funds of Crenshaw county. Local Acts 1915, page 361, approved September 10th, 1915."

H. 378. To further suppress the evils of intemperance; to prohibit the manufacture, sale, giving away or having in possession any still, apparatus, appliance or any device or substitute therefor to be used in the manufacture of prohibited liquors and beverages.

H. 850. For the relief of J. N. Varner, of Conecuh county, Alabama, appropriating to him one hundred forty dollars (\$140.00) out of any funds in the State treasury not otherwise appropriated on account of his name being wrongfully stricken from the pension roll as a Confederate veteran.

H. 1125. To amend subdivision 84 of section 361 of an act to provide for the general revenue of the State of Alabama, approved September 15th, 1919.

H. 987. To declare a lien in favor of landlords upon livestock raised or grazed upon rented land.

H. 995. To provide for the construction, care, maintenance, and improvement of the public roads of Franklin county; to provide funds, regulations, penalties, and officers to insure such constructions, care, maintenance, and improvement; to provide a county superintendent of roads, prescribe his qualifications, method of selection, term of office, salary, duties, powers; to prescribe in general the records to be kept by said superintendent; to provide that the court of county revenue shall have full powers over the road system; to provide beat supervisors, sections overseers, and other persons to carry out said work on the road system of the county; to prescribe the duties of individuals and corporations in regard to the enforcement of said road law.

H. 726. To create and establish the Alabama Patriotic Society, to define its scope and purposes, to provide for the appointment by the governor of its officers, to prescribe the manner in which their successors shall be chosen, and to define their functions.

H. 418. To authorize the boards of revenue or county commissioners of the separate counties of the State of Alabama in

their discretion to indemnify owners of cattle for injuries, damages or deaths caused by dipping such cattle in compliance with the laws of the State and with the rules and regulations of the State live stock sanitary board.

H. 475. To authorize the personal representative, by appointment of a court having jurisdiction in any other State than the State of Alabama, to receive and collect indebtedness owing to deceased by a person who is a resident of Alabama, and to execute receipt and discharge therefor.

H. 911. To make an appropriation for the control and eradication of tuberculosis, hog cholera and all other infectious and contagious animal diseases and the materials or things that may spread or carry the cause of such diseases of live stock.

H. 1042. To regulate the feeding of prisoners in the county jails.

H. 898. To amend sections 10, 11, 12, 13 and 17 of an act entitled "An act to provide for and regulate the manufacture and sale of "commercial feeding stuffs" in Alabama; to further provide for registration, tagging, sampling and analyzing "commercial feeding stuffs," and to fix penalties for violations of this act," so as to regulate the sale of "commercial feeding stuffs;" to define the same and to prohibit the adulteration thereof, to provide for their correct weight, sampling, analyses, and marketing; to authorize the commissioner of agriculture and industries to prescribe rules and regulations for carrying out the provisions of this act; to establish in the department of agriculture and industries, a division of foods, feeds and drugs, to be charged with the execution of this act; to authorize the commissioner of agriculture and industries to appoint an assistant as supervisor, of said division, and to appoint other necessary clerical assistance; to provide for the payment of salaries and expenses out of the funds accruing hereunder; and to fix penalties for violation of this act. Approved February 15, 1919.

H. 767. To appropriate five thousand (\$5,000.00) dollars annually to the Alabama State horticultural society for the promotion of horticulture within the State of Alabama.

H. 619. To create and establish a board of revenue in and for Morgan county, Alabama, in the place and stead of the commissioners' court now existing in said county, and abolishing said commissioners court; to divide said county of Morgan into four districts, defining the boundaries thereof; providing that the present county commissioners shall be the members of said board of revenue for their unexpired term; fixing the term of office and providing for the election of subsequent members thereof; defining the jurisdiction of said board of revenue; fixing

their compensation; conferring upon said board of revenue and the individual members thereof all the jurisdictions, powers and authority granted by law to county commissioners and to commissioners' courts and boards of revenue in this State; authorizing the appointment by said board of revenue of a county auditor and a superintendent of public roads; providing for the holding of monthly meetings of said board of revenue beginning on the second Monday in each month; providing for the repeal of all laws in conflict with this act, and, fixing the time when this act shall become operative.

H. 553. To provide for the revision, codification, digesting, and promulgation of the public statutes of this State, both civil and criminal.

Fred H. Gormley,
Clerk.

MESSAGE FROM THE HOUSE.

Mr. President:

The Speaker having signed the following House bill your signature thereto is requested:

H. 688. To provide for the organization of land owners, of any county, of districts within said county, for the purpose of building, improving and maintaining public roads in such districts, to confer the right of eminent domain to the extent necessary to carry out the purposes of this act, to provide for raising the funds by bond issue or otherwise, to pay the cost of building and maintaining such highways by assessment of the lands in said district in proportion to the benefits received by reason of such improvement.

Fred H. Gormley,
Clerk.

SIGNING OF BILLS.

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the following bill:

H. 688. To provide for the organization of land owners, of any county, of districts within said county, for the purpose of building, improving and maintaining public roads in such districts, to confer the right of eminent domain to the extent necessary to carry out the purposes of this act, to provide for raising the funds by bond issue or otherwise, to pay the costs of building

and maintaining such highways by assessment of the lands in said district in proportion to the benefits received by reason of such improvement.

REPORT FROM COMMITTEE ON ENROLLED BILLS.

Mr. President:

Your Standing Committee on Enrolled Bills beg leave to report that said committee, in session, have compared the following enrolled bills, with the engrossed and original bills, respectively, and find same correctly enrolled, to-wit:

S. 218. To submit to the qualified electors of this State at a special election to be held at the call of the governor after ninety days from the final adjournment of this Legislature for their consideration of an amendment to the Constitution for the purpose of authorizing the State to establish and maintain a State highway system of public roads and bridges, to issue interest-bearing bonds therefor, to authorize the levy and collection of automobile or other motor-driven vehicle taxes by the State for said purposes and to provide for the establishment and maintenance of said State highway system, public roads and bridges according to such regulations as the Legislature may have prescribed or may hereafter prescribe.

S. 737. To make appropriations to the State normal schools for white teachers located at Florence, Jacksonville, Livingston, Troy, Daphne and Moundville.

S. 750. To fix the compensation of the several State executive officers, officers of departments, and boards, subordinate officers, clerks, watchmen and capitol servants.

S. J. R. 157. Relative to allowing Secretary of Senate and Clerk of the House, and certain other clerks 30 days from adjournment of this Legislature in which to check Journals and Registers of both Houses and allowing them same per diem they are now receiving.

S. J. R. 159. Relative to the Secretary of State sending to each Senator and Representative, Secretary and Assistant Secretary of the Senate, Clerk and Assistant Clerk of the House, Lieutenant Governor and Speaker of the House, each, two copies of the Acts of 1919 together with one copy of the Journal of each house.

S. J. R. 156. To provide for the payment to W. T. Edmondson, Jr., for services as Committee Clerk for January 15 to and including February 1st, 1919, services performed for a clerk who was absent on account of sickness.

S. 741. To amend section 5982, Code 1907.

S. 745. To amend section 5992, Code 1907.

S. 463. To fix the salary of the judge of the county court in all counties having a population of not less than 32,900 and not more than 33,000 or any subsequent Federal census.

S. 696. To fix the salary of the judge of the county court in all counties having a population of not less than twenty-eight thousand six hundred and seventy (28,670) and not more than twenty-eight thousand seven hundred and twenty (28,720) according to the Federal census of 1910 and provide for the payment of the same.

S. 740. To amend an act to provide a stenographer for the Supreme Court reporter, to fix the salary of same and to make appropriations to pay such salary, approved April 24, 1911 (Acts 1911, p. 723).

S. 743. To amend section 52 of the Code of Alabama of 1907.

S. 314. To provide for instruction in regard to the humane protection of animals in the public schools.

Chas. McDowell, Jr.,
Chairman.

SIGNING OF BILLS.

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the following bills:

S. 218. To submit to the qualified electors of this State at a special election to be held at the call of the governor after ninety days from the final adjournment of this Legislature for their consideration of an amendment to the Constitution for the purpose of authorizing the State to establish and maintain a State highway system of public roads and bridges, to issue interest-bearing bonds therefor, to authorize the levy and collection of automobile or other motor-driven vehicle taxes by the State for said purposes and to provide for the establishment and maintenance of said State highway system, public roads and bridges according to such regulations as the Legislature may have prescribed or may hereafter prescribe.

S. 737. To make appropriations to the State normal schools for white teachers located at Florence, Jacksonville, Livingston, Troy, Daphne and Moundville.

S. 750. To fix the compensation of the several State executive officers, officers of departments, and boards, subordinate officers, clerks, watchmen and capitol servants.

S. J. R. 157. Relative to allowing Secretary of Senate and Clerk of the House, and certain other clerks 30 days from adjournment of this Legislature in which to check Journals and Registers of both Houses and allowing them same per diem they are now receiving.

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S. 740. To amend an act to provide a stenographer for the Supreme Court reporter, to fix the salary of same and to make appropriations to pay such salary, approved April 24, 1911 (Acts 1911, p. 723).

S. 743. To amend section 52 of the Code of Alabama of 1907.

S. 314. To provide for instruction in regard to the humane protection of animals in the public schools.

MESSAGE FROM THE HOUSE.

Mr. President:

The Speaker having signed the following House bill, your signature thereto is requested:

H. 281. For the protection of human beings and of live stock of all kind. To impose a license on dogs over the age of three months and to provide further that dogs running at large, except fox hounds and deer hounds wearing collars upon which the owners' names and addresses are printed or written, shall wear

muzzles; to require the registration of all dogs by the circuit clerk in their respective counties; to provide for the necessary supplies to carry this act into effect and to provide for compensating the circuit clerk for his services as required herein; to provide that the funds derived from the license on dogs herein imposed by this act shall be paid to the State treasurer and kept separate and apart and shall be known as the dog tax fund which fund shall be used in defraying the traveling expenses to and from the State Pasteur Institute of persons who have been bitten by mad dogs and who are unable to defray their own expenses, also their expenses while under treatment at this institute; likewise the funds created by this act shall be used in remunerating persons who sustain loss from dogs crippling or killing their live stock and poultry.

Fred H. Gormley,
Clerk.

SIGNING OF BILLS.

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the following bill:

H. 281. For the protection of human beings and of live stock of all kind. To impose a license on dogs over the age of three months and to provide further that dogs running at large, except fox hounds and deer hounds wearing collars upon which the owners' names and addresses are printed or written, shall wear muzzles; to require the registration of all dogs by the circuit clerk in their respective counties; to provide for the necessary supplies to carry this act into effect and to provide for compensating the circuit clerk for his services as required herein; to provide that the funds derived from the license on dogs herein imposed by this act shall be paid to the State treasurer and kept separate and apart and shall be known as the dog tax fund which fund shall be used in defraying the traveling expenses to and from the State Pasteur Institute of persons who have been bitten by mad dogs and who are unable to defray their own expenses, also their expenses while under treatment at this institute; likewise the funds created by this act shall be used in remunerating persons who sustain loss from dogs crippling or killing their live stock and poultry.

GOVERNOR'S MESSAGE.

September 23, 1919.

Gentlemen of the Senate:

I herewith return, without my approval, Senate bill No. 509, for the relief of Rev. J. M. Johnson. Being a special private bill and no notice having been given thereof by publication as required by the Constitution, section 106, I can see no way of meeting the situation by amendment.

Respectfully,
Thos. E. Kilby,
Governor.

GOVERNOR'S MESSAGE.

September 27, 1919.

Gentlemen of the Senate:

I return herewith S. 566 without my approval. This is a bill that was allowed to pass your honorable body without opposition upon the suggestion of its author to individual senators that the passage of the bill would be a personal compliment to himself and with the assurance that there was not time for its passage in the House. It seems, however, that there was time for its passage in the House, the bill having easy sailing through that body even without appeals of the members from Barbour for the gratification of personal vanity and we now have before us a bill carrying an appropriation of \$80,000 that would create a State educational institution in a county removed from the center of population of the southern half of the State which should be served if such institution were created.

Institutions to be supported by the State and intended for the use of the people of the State or a large portion thereof should be established only after careful hearing and comprehensive consideration of the claims of the several counties which might desire to be heard on the question of location. No such opportunity was given other counties in this case, nor was application made to the Alabama educational commission for the establishment of such institution. Neither was application made to the budget commission for an appropriation, and consequently no appropriation was provided in the budget.

As much as I dislike to withhold approval of a bill which has education for its object, I feel compelled to do so in this instance.

Respectfully,
Thos. E. Kilby,
Governor.

REPORT FROM COMMITTEE ON REVISION OF THE JOURNAL.

Mr. Griffith, chairman of the Standing Committee on Revision of the Journal, begs leave to report that said committee, in session, had examined the Journal of the Senate for the forty-seventh, forty-eighth, forty-ninth and fiftieth legislative days and find same contains the proper entries in reference to each bill and resolution contained therein as required by the Constitution.

A. A. Griffith,
Chairman.

COMMITTEE REPORT.

On motion of Mr. Griffith, the foregoing report from the Committee on Revision of the Journal, was adopted and the Journal of the forty-seventh, forty-eighth, forty-ninth and fiftieth days of the session was approved by the Senate.

REPORT OF THE SECRETARY.

Gentlemen of the Senate:

In pursuance to joint rule 5, I herewith submit my report of bills and resolutions delivered to the governor, the hour and date of such delivery noted hereon:

S. J. R. 159. Delivered to the governor September 27, 1919, at 11:25 P. M.

The following Senate bills and joint resolutions were delivered to the governor on September 27, 1919, at 11:25 P. M.:

S. J. R. 157, S. J. R. 156, S. 287, S. 233, S. 727, S. 754, S. 627, S. 222, S. 713, S. 596, S. 658, S. 549, S. 767, S. 737, S. 309, S. 731, S. 207, S. 442, S. 367, S. 738, S. 750, S. 374, S. 451, S. 740, S. 314, S. 711, S. 463.

The following bills were delivered September 27, 1919, at 9:30 P. M.:

S. 696, S. 743, S. 741, S. 611, S. 745.

The following were delivered on September 27, 1919, at 5:30 P. M.:

S. 587, S. 545, S. 578, S. 424, S. 748, S. 215, S. 301, S. 560, S. 286, S. 742, S. 676, S. 664.

The following bills were delivered on September 27, 1919, at 3:40 P. M.:

S. 657, S. 585, S. 369, S. 320, S. 206, S. 530, S. 593, S. 336, S. 763, S. 368, S. 515, S. 761, S. 762.

The following bills were delivered September 27, 1919, at 11:40 A. M.:

S. 237, S. 302, S. 241, S. 186, S. 212, S. 394, S. 350, S. 240, S. 559, S. 746, S. 709, S. 332, S. 511, S. 486, S. 749, S. 654, S. 521, S. 651, S. 584.

The following bills were delivered September 27, 1919, at 10:30 A. M.:

S. 371, S. 715, S. 714, S. 739, S. 733, S. 722, S. 728, S. 726, S. 732, S. 720, S. 723, S. 724, S. 725, S. 717, S. 721, S. 712, S. 716, S. 719, S. 735, S. 730, S. 729, S. 242, S. 218, S. 532, S. 548, S. 358, S. 546, S. 539, S. 528, S. 718, S. 499, S. 736, S. 306.

The following bills were delivered September 25, 1919, at 10:40 A. M.

S. 105, S. 247, S. 531, S. 414, S. 738.

The following bills were delivered September 26, 1919, at 12 o'clock noon:

S. 453, S. 744, S. 713, S. 572, S. 734, S. 566, S. 553, S. 285, S. 188.

W. F. Miller,
Secretary.

SECRETARY'S REPORT.

On motion of Mr. Carmichael the foregoing report of the Secretary was read at length to and adopted by the Senate.

ADJOURNMENT.

At 11:55 P. M., on motion of Mr. Acker, the Senate adjourned *sine die*.

Nathan L. Miller,
Lieutenant Governor and Presiding
Officer of the Senate.

Attest:

W. F. Miller,
Secretary.

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